effect of this approval is to establish this program as the applicable underground injection control program under the SDWA for the State of North Dakota.

This approval will be codified in 40 CFR Part 147.1751. State statutes and regulations that contain standards, requirements, and procedures applicable to owners or operators are incorporated by reference. These provisions incorporated by reference, as well as all permit conditions or permit denials issued pursuant to such provisions, are enforceable by EPA pursuant to section 1423 of the SDWA.

In this application, North Dakota chooses not to assert jurisdiction over Indian lands or reservations for purposes of its UIC program. Therefore, the EPA will, at a future date, prescribe a UIC program governing injection wells on any Indian lands or reservations.

Since this approval, in large part, simply ratifies State regulations and requirements already in effect under State law, EPA is publishing this approval effective immediately. This will enable North Dakota to begin immediately issuing UIC permits for Classes I, III, IV, and V injection wells under the Federally approved program. Currently there are 2 Class I wells, 4 Class III wells, and approximately 96 Class V wells in the State.

List of Subjects in 40 CFR Part 147

Indians—lands, Water Supply, Reporting and recordkeeping requirements, Intergovernmental relations, Penalties, Confidential business information, Incorporation by reference.

OMB Review

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I certify that approval by EPA under section 1422 of the Safe Drinking Water Act of the application by the North Dakota Department of Health will not have a significant economic impact on a substantial number of small entities, since this rule only approves State actions. It imposes no new requirements on small entities.

Dated: September 5, 1984.

William D. Ruckelshaus,

Administrator.

Title 40 of the Code of Federal Regulations is amended as follows:

PART 147—STATE UNDERGROUND INJECTION CONTROL PROGRAMS

Subpart JJ—North Dakota

Amend 40 CFR Part 147 by revising § 147.1751 and by adding and reserving § 147.1752 as follows:

§ 147.1751 State-administered program—Class I, III, IV, and V wells.

The UIC program for Class I, III, IV, and V wells in the State of North Dakota, except those on Indian lands, is the program administered by the North Dakota Department of Health, approved by EPA pursuant to section 1422 of the SDWA. Notice of this approval was published in the **Federal Register** on September 21, 1984; the effective date of this program is October 5, 1984. This program consists of the following elements, as submitted to EPA in the State's program application.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of North Dakota. This incorporation by reference was approved by the Director of the Federal Register effective October 5, 1984.

(1) North Dakota Century Code Sections 38–12–01, 38–12–03 (1980);

(2) North Dakota Century Code Sections 61–28–02, 61–28–06 (Supp. 1981);

(3) North Dakota Administrative Code Sections 33–25–01–01 through 33–25–01–18 (North Dakota State Health Department Underground Control Program) (1983);

(4) North Dakota Administrative Code Sections 43–02–02–01, 43–02–02–12, 43–02–02–16 through 43–02–02–26, 43–02–02–29, 43–02–02–31, 43–02–02–35 (North Dakota Geological Survey Subsurface Mineral Exploration and Development) (1978);

(5) North Dakota Administrative Code Sections 43–02–02–1–01 through 43–02–02–1–18 (North Dakota Geological Survey—Undergound Injection Control Program) (1984);

(b) *Other Laws.* The following statutes and regulations, although not incorporated by reference, also are part of the approved State-administered program;

(1) North Dakota Environmental Law Enforcement Act of 1975, North Dakota Century Code Sections 32–40–01 to 32–40–11 (1976);

(2) North Dakota Century Code, Ch. 38–12 (Regulation, Development, and Production of Subsurface Minerals) (1979);

(3) North Dakota Century Code Ch. 61–28 (Control, Prevention, and Abatement of Pollution of Surface Waters) (1981);

(4) North Dakota Administrative Code Article 33–22 (Practice and Procedure) (1983).

(c) The Memorandum of Agreement between EPA Region VIII and the North Dakota Department of Health, signed by the EPA Regional Administrator on May 18, 1984.

(d) The Program Description and any other materials submitted as part of the original application or as supplements thereto.

§ 147.1752 EPA-administered program—Indian lands. [Reserved]

(42 U.S.C 300, Safe Drinking Water Act, Sec. 1422)

[FR Doc. 84–23929 Filed 9–20–84; 8:45 am]

BILLING CODE 6560–50–M

---

40 CFR Part 261

[SWH–FRL–2676–1]

Hazardous Waste Management System; Identification and Listing of Hazardous Wastes

AGENCY: U.S. Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency is today granting final exclusions for the solid wastes generated at three particular generating facilities from the lists of hazardous wastes contained in 40 CFR 261.31 and 261.32. This action responds to delisting petitions received by the Agency under 40 CFR 260.20 and 260.22 to exclude wastes on a "site-specific basis" from the hazardous waste lists. The effect of this action is to exclude certain wastes generated at these facilities from listing as hazardous waste under 40 CFR Part 261.

EFFECTIVE DATE: September 21, 1984.

ADDRESS: The public docket for these final exclusions is located in Room S–212A, U.S. Environmental Protection Agency, 401 M Street SW., Washington D.C. 20460, and is available for public viewing from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: RCRA Hotline, toll free (800) 424–9346 or at (202) 382–3000. For technical information contact Mr. Myles Morse, Office of Solid Waste (WH–562B), U.S. Environmental Protection Agency, 401 M

Street, SW., Washington, D.C. 20460. (202) 475–8551.

SUPPLEMENTARY INFORMATION: On March 9, 1984, EPA proposed to exclude specific wastes generated by: (1) Union Carbide Corporation, located in Taft, Louisiana; (2) Kay-Fries, Inc., located in Stoney Point, New York; and (3) the Metropolitan Sewer District of Greater Cincinnati (MSD), located in Cincinnati, Ohio from the lists of hazardous wastes (see 49 FR 8962). This action was taken in response to petitions submitted by these companies (pursuant to 40 CFR 260.20 and 260.22) to exclude their waste from hazardous waste control. In their petitions, these companies have argued that the waste, for which the exclusion was requested, was nonhazardous based on the criteria for which the waste was listed.

The purpose of today's action is to make final that proposal and to make the exclusions effective immediately. More specifically, today's rule allows these facilities to manage the waste, for which an exclusion was requested, as a non-hazardous waste, in accordance with any conditions of the exclusion. These exclusions remain in effect unless: (1) They are granted for a one-time disposal of a specific volume of waste or (2) the waste varies from that originally described in the petition (*i.e.* the waste is altered as a result of changes in manufacturing or treatment process). [1] In addition, generators still are obliged to determine whether these wastes exhibit any of the characteristics of hazardous waste.

Limited Effect of Federal Exclusion

States are allowed to impose requirements that are more stringent than EPA's, pursuant to section 3009 of RCRA. State programs thus need not include those Federal provisions which exempt persons from certain regulatory requirements. For example, States are not required to provide a delisting mechanism to obtain final authorization. If the State program does include a delisting mechanism, however, that mechanism must be no less stringent than that of the Federal program for the State to obtain and keep final authorization.

The final exclusions granted here therefore apply only when the waste is under Federal jurisdiction. In unauthorized States, these wastes are excluded from Federal control. In authorized States, however, only the State can decide whether to exclude a hazardous waste from the State RCRA program. State control of these wastes thus is not nullified by the granting of a Federal exclusion. Petitioners are urged to contact their State regulatory authority for the current status of their wastes under State law.

The exclusions made final here involve the following petitioners:

Union Carbide Corp., Taft, Louisiana
Kay-Fries, Inc., Stoney Point, New York
Metropolitan Sewer District of Greater Cincinnati, Cincinnati, Ohio

I. Union Carbide Corporation

A. Proposed Exclusion

Union Carbide Corporation (UCC) has petitioned the Agency to exclude approximately 11,000 cubic yards of acrolein-contaminated soil at its facility in Taft, Louisiana from EPA Hazardous Waste No. P003. The contaminated soil was generated as a result of a storage tank rupture and subsequent fire at UCC's facility.

At the time of the initial petition (March 1983), UCC identified two areas of contamination. One area was found to contain acrolein levels far in excess of 20 ppm. A second, outlying area exhibited acrolein levels below 20 ppm and is proposed to be left in place. UCC proposed to treat the area of higher concentration (approximately 6,000 cubic yards of soil) by mixing the soil with lime and aerating it in six inch layers; this treatment, UCC argued, would decrease acrolein levels below 9 ppm. (This treatment already has been completed under an emergency permit issued by EPA Region VI.) The remaining 5,000 cubic yards of soil was claimed by UCC to contain only non-hazardous levels of acrolein (*i.e.*, less than 20 ppm) and would continue to degrade naturally in the environment. (This degradation has occurred, according to tests submitted by the petitioner, and the concentration of acrolein in this area also is less than 9 ppm.)

In support of their petition, UCC submitted information demonstrating that their contaminated soil is not acutely hazardous, that the degradation rate of acrolein in lime-treated soil is rapid (*i.e.*, the treatment employed by UCC would destroy the contaminant of concern), and that human exposure to acrolein from these wastes would be extremely low based on a modeling effort, using reasonable worst case assumptions, that calculated the fate and transport of acrolein to surface water (via filtration and stormwater runoff), to ground water (via infiltration), and to air (via long and short-term wind dispersion). In addition, UCC submitted representative field sampling data indicating that the acrolein already had degraded to very low levels. (Although not required, UCC also submitted data demonstrating that this soil does not contain other toxic components.) See 49 FR 8963–8964 (March 9, 1984), for a more detailed explanation of why EPA proposed to grant UCC's petition.

B. Agency Response to Comments

Two comments were received regarding Union Carbide's proposed exclusion. One commenter expressed concern that the initial concentration of acrolein in the soil at the site had not been reported and without this data an optimal cleanup strategy could not be determined.

It should be noted that the concentration of acrolein in the lime-treated soil and had been reported by the petitioner from non-detectable (less than 1 ppm) to 9 ppm, while untreated soil contained acrolein concentrations as high as 1000 ppm. The Agency is concerned about the effectiveness of different clean-up strategies; however, this evaluation was not considered as part of the delisting decision. Rather, the cleanup strategy was evaluated by the EPA Regional Office before issuance of the emergency treatment permit.[2]

The delisting petition was evaluated on the merits of whether the residue that resulted from treatment remains hazardous. Based on the data submitted in the petition, the Agency believes that UCC has demonstrated that the waste is non-hazardous.

The other commenter expressed concern over insufficient explanation of the treatment process, lack of pilot scale verification, and the need for additional sampling to assure that there was less than 9 ppm of acrolein in the soil.

The Agency believes that a more detailed description of the treatment process is not necessary since the treatment process simply involves excavation of the contaminated soil, mixing with lime, and respreading the mixture in 6 inch layers. UCC, however, did investigate the effect of several bases, soil moisture, and field application method on the polymerization rate of acrolein.[3] The

[1] The current exclusion only applies to the process covered by the original demonstration. A facility may file a new petition if it alters its process; however, the facility must treat its waste as hazardous until a new exclusion is granted.

[2] A long evaluation process of different treatment methods was not practical. Since base-catalyzed polimerization of acrolein is rapid and effective at removing acrolein, the Region issued UCC the emergency treatment permit using that method.

[3] This information was submitted as Confidential Business Information (CBI) by Union Carbide.

results of this investigation indicated that the proposed treatment method was very effective at removing acrolein from soil. Again, the actual treatment of the contaminated soil was regulated by the conditions of the emergency treatment permit rather than the delisting decision. The treatment method and known half-life of acrolein under alkaline conditions along with sampling data in Union Carbide's petition, however, support the claim that acrolein is rapidly degraded. Therefore, the Agency believes that the description of the process and field verification data submitted by Union Carbide are reasonable and representative and feels that additional explanation and demonstration are not necessary.

With respect to additional sampling, the Agency believes that the sampling plan used by UCC was more than adequate. An imaginary grid was used as prescribed by *Test Methods for Evaluating Solid Waste (SW–846)*, to collect in excess of 100 non-biased samples. UCC sampled the damage area completely, that is, rather than collecting from random sampling points from the grid, all intersecting grid points were sampled. After treatment these samples showed such extremely low variability that the Agency is able to characterize the acrolein level in the contaminated soil as less than 2 ppm, with a ninety-five percent degree of confidence.

C. Final Agency Decision

Based on the low concentrations of acrolein in these soils (*i.e.*, less than 9 ppm in both areas),[4] the low likelihood of human exposure to acrolein in these wastes using a reasonable worst case disposal scenario,[5] and the relatively short half-life of acrolein (less than 22 days), the Agency is granting a final exclusion from EPA Hazardous Waste No. P003 to Union Carbide for approximately 11,000 cubic yards of contaminated soil from both areas, as described in their petition.

II. Kay-Fries, Inc.

A. Proposed Exclusion

Kay-Fries has petitioned the Agency to exclude its filter press sludge and its biological aeration sludge (presently contained in its holding lagoon) from EPA Hazardous Waste Nos.: F003 and F005 based on their non-ignitability and on the low concentration of the listed solvents in these wastes.[6] All solvents used in Kay-Fries' process are recovered actively within the process, with the exception of methanol, thus allowing only minor volumes of the solvents to enter the wastewater treatment system. In addition, it is claimed that all these solvents are easily degraded in the biological aeration lagoon used by Kay-Fries. (See 49 FR 8964–8965, March 9, 1984 for a more detailed explanation of why EPA proposed to grant Kay-Fries' petition.)

B. Agency Response to Public Comments

There were no comments on the proposed exclusion of these wastes.

C. Final Agency Decision

Kay-Fries' claim were substantiated. First, representative samples of these wastes tested for ignitability demonstrated that the wastes exhibited no flash point. Secondly, analyses of filter press samples and the lagoon sludge indicated maximum toluene concentrations of 0.1 ppm and 0.149 ppm, respectively. These levels are far below that which would be considered significant.[7] (See 49 FR 8964.) (Kay-Fries also submitted data on the other non-listed hazardous constituents which reasonably may be expected to be present in the waste. This data indicated that no other hazardous constituents were present in these wastes at concentrations of regulatory concern.)

Based on the non-ignitability of the waste and the low levels of toluene in the wastes, the Agency is granting a final exclusion to Kay-Fries, Inc. for its biological aeration lagoon sludge (contained in their holding lagoon) and its filter press sludge from EPA Hazardous Waste Nos. F003 and F005 at its Stoney Point, New York facility. This exclusion remains in effect as long as Kay-Fries does not alter the processes which generate the waste.

III. Metroplitan Sewer District of Greater Cincinnati

A. Proposed Exclusion

The Cincinnati Metropolitan Sewer District (MSD) has petitioned the Agency to exclude (on a one-time basis) sluiced bottom ash contained in two on-site lagoons. MSD burns hazardous wastes F001, F002, F003, F004, and F005 along with sewage sludge.[8] The mixed ash is slurried with wastewater from the municipal wastewater treatment plant and pumped to the lagoons for de-watering. MSD has requested delisting for the contents of both lagoons, which together contain approximately 50,000 cubic yards of ash.

MSD claims that the ash in these lagoons is non-hazardous due to the destruction of the hazardous constituents during combustion. MSD further claims that 99.75 percent of the incinerated waste which produces this ash is municipal waste, while only 0.25 percent of the incinerated waste is inductrial waste (of which a smaller percentage are the listed hazardous wastes). MSD also provided data which indicates non-detectable concentrations of the listed solvents, except for methylene chloride; methylene chloride levels ranged from non-detectable to 1.9 ppm in the ash (See 49 FR 8965). (MSD also submitted data on the other listed hazardous constituents which reasonably may be expected to be present in the waste. This data indicated

[4] The Agency has evaluated the chronic toxicity of acrolein and has established an Acceptable Daily Intake for humans of 1.1 mg/day. (See Summary of Current Acceptable Daily Intakes (ADI's) for oral exposure, Environmental Criteria and Assessment Office, U.S. Environmental Protection Agency, Cincinnati, Ohio, November 29, 1983). If all the acrolein in the soil migrates at the same time (a worst case assumption) the maximum concentration of acrolein in the leachate will be about 18 mg/l, assuming a maximum soil concentration of 9 mg/kg and a soil pore volume of 50%. Attenuation and dilution are expected to reduce the concentration of acrolein in the leachate by at least one to two orders of magnitude, *i.e.*, to less than 1.8 mg/l. Furthermore, acrolein is expected to hydrolize in water; thus, reducing even further the concentration expected in the drinking water, to less than the ADI. The Agency, therefore, considers the maximum levels of acrolein in the soil, 9 mg/kg, relatively low.

[5] The model used by UCC, although site-specific, is consistent with other models (*i.e.*, Darcy's Law for ground and surface water and a Gaussian Distribution Model for air) developed by the Agency for similar evaluations. As part of the Agency's evaluation, since site-specific factors cannot be considered, various generalized worst case parameters were substituted into the models to determine whether there was any potential for acrolein to reach levels of concern. The Agency used much lower dilution factors (10% of what was claimed by UCC), assumed no degradation of acrolein during transport, and used higher soil permeabilities (10 × higher than values measured at the site). By using non-site-specific worst case values, the agency determined that the concentration of acrolein in the ground and surface waters and the air at the site still would be less than any health based standard.

[6] In particular, the two sludges Kay-Fries requested be excluded contained the following solvents: F003-ethyl acetate, methyl isobutyl ketone, and methanol; and F005-toluene. Both sludges contain the F003 and F005 wastes. Toluene is the only solvent in the F005 listing, used by Kay-fries. Its concentration in the waste is primarily of concern due to toxicity. The other solvents used are listed only because of their ignitability.

[7] The Agency has established an Ambient Water Quality Criteria for toluene of 14.3 mg/l (See Ambient Water Quality Criteria for Toluene, EPA 440/5–80–075, October 1980). If all of the toluene in the waste migrates at the same time (a worst case assumption), the maximum concentration of toluene in the leachate will be about 0.4 mg/l, assuming a maximum waste concentration of 0.2 mg/kg and an average waste pore volume of 50%. Since the maximum leachate concentration is well below the water quality criteria the Agency feels the level of toluene in these wastes are relatively low.

[8] In particular, MSD has requested exclusion of the sluiced ash which contains all the solvents listed in F001, F002, F003, and F005 in the two impoundments.

that the waste contained in the South Lagoon contains certain polynuclear aromatic compounds (PNAs) which may be of environmental concern.) See 49 FR 8965–8966 (March 9, 1984), for a more detailed explanation of why EPA proposed to grant MSD's petition.

B. Agency Response to Public Comments

One commenter raised serious concerns over the presence of the PNAs in MSD's waste in the South Lagoon and the potential harm the waste may present to human health and the environment because of their known or suspected carcinogenicity. In addition, the commenter was concerned that the Agency had not yet performed the necessary studies to determine whether the PNAs should be added as a basis for listing the waste.

The Agency believes that the concentration of known or suspected carcinogenic PNAs in the sluiced ash contained in the North Lagoon are not of regulatory concern since only very low levels of the PNAs were found in the waste (see Agency Decision below). The Agency has not determined yet, however, whether the level of PNAs found in the waste of the South Lagoon are of environmental concern. Therefore, the Agency shares the commenter's concern and is defering any action until those PNA levels (*i.e.*, chrysene 17.5 ppm, benzo(a)pyrene 16.66 ppm, etc.) can be further evaluated. At this time, the Agency has not completed its investigation to determine whether these toxicants should be included as a basis for listing. We expect, however, to make this determination over the next several months. At that time, we will decide whether to modify the listing; until this decision is made, however, we believe it inappropriate to exclude the waste from regulatory control.

C. Final Agency Decision

The Agency believes that MSD has demonstrated successfully that the sluiced bottom ash contained in the North Lagoon is non-hazardous due to very low levels of the listed solvents. All of the analyses provided by MSD indicated non-detectable levels of solvents in the waste (except for methylene chloride); the maximum level of methylene chloride found in the waste (*i.e.*, less than 2.0 ppm) also is not considered significant.[9] The data submitted by MSD for the other hazardous constituents found in the waste also indicates that the ash is non-hazardous and, as such, the Agency believes should be excluded from hazardous waste control.[10]

Therefore, the Agency is granting a final exclusion to MSD for the waste contained in the North Lagoon (which contain EPA Hazardous Waste Nos. F001, F002, F003, F004, and F005) at its Cincinnati, Ohio location.

The Agency also believes that the level of solvents found in the South Lagoon are not of regulatory concern. As discussed earlier, however, the Agency has concerns about the potentially toxic level of PNAs in the South Lagoon. Since the Agency is considering including these toxicants as a basis for listing this waste, the Agency is *not* making any final decision on the sluiced bottom ash contained in the South Lagoon. This analysis will include a review of available toxicity information, the determination of specific retardation factors for PNAs on soils and ash, and an evaluation of PNA concentrations in various types of incineration ash. The Agency is planning to complete this study in the fall and is, therefore, delaying its decision until this comprehensive analysis can be conducted. Therefore, the waste in the South Lagoon remains hazardous and must be managed in accordance with the Subtitle C hazardous waste regulations.

IV. Effective Date

Section 3010(b) of RCRA provides that EPA's hazardous waste regulations and revisions to the regulations take effect six months after promulgation. The purpose of this requirement is to allow persons handling hazardous waste sufficient lead time to prepare to comply with major new regulatory requirements. Today's amendment, however, reduces, rather than increases, the existing requirements for persons generating hazardous waste. In addition, if the amendment promulgated today did not become effective for six months after promulgation there would be unnecessary disruption in the implementation of the regulation. In light of the hardship that would be imposed by an effective date six months after promulgation and the fact that such a deadline is not necessary to achieve the purpose of section 3010, EPA believes it appropriate to make this rule effective immediately. In addition, for the reasons stated above, EPA believes that under 5 U.S.C. 553(d) this rule may be made effective immediately.

V. Regulatory Flexibility Act

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601–612, whenever an Agency is required to publish a general notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis which describes the impact of the rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions). The Administrator may certify, however, that the rule will not have a significant economic impact on a substantial number of small entities.

This amendment will not have an adverse economic impact on small entities since its effects will be to reduce the overall costs of EPA's hazardous waste regulations. Accordingly, I hereby certify that this final regulation will not have a significant economic impact on a substantial number of small entities.

[9] The Agency has evaluated the chronic toxicity of methylene chloride and has established an Acceptable Daily Intake for humans of 13 mg/day. (See Summary of Current Acceptable Daily Intakes (ADI's) for oral exposure, Environmental Criteria and Assessment Office, U.S. Environmental Protection Agency, Cincinnati, Ohio, November 29, 1983). If all of the methylene chloride in the waste migrates at the same time (a worst case assumption) the maximum concentration in the leachate will be about 4 mg/1, assuming a maximum concentration of 2 mg/kg in the waste and an average waste pore volume of 50%. Attenuation and dilution are further expected to reduce the concentration of methylene chloride by one to two orders of magnitude, *i.e.*, to less than 0.40 mg/1. Since this concentration is one order of magnitude less than the ADI, the Agency considers the maximum level of methylene chloride in the ash, 2 ppm, relatively low.

[10] The concentrations of PNAs in the waste in the North Lagoon ranged from non-detectable (*i.e.*, less than .01 ug/gm) to a maximum of 0.47 ug/gm (see 49 FR 8966, March 9, 1984). The Agency's Office of Health and Environmental Assessment (OHEA) Carcinogen Assessment Group (CAG) has evaluated 54 chemicals for their relative carcinogenic potencies (see Health Assessment Document for Ethylene Oxide, EPA 600/8–84–009A, April, 1984) and has determined that the slope of the dose response curve for Benzo(a)pyrene is 11.5 mg/kg/day. Since the risk of obtaining one additional cancer is equal to the product of the slope of the curve and the dose, there would be one additional cancer in a million at a dose of .006 ug/day for an average adult. It is also known, however, that PNAs are very insoluble in water, and are strongly absorbed on particulates, which renders them immobile. There retardation factors are usually estimated to be well in excess of 1000. (See the RCRA Risk Cost Analysis Model, March 1, 1984.) Therefore, assuming other PNAs behave similarly to benzo(a) pyrene, the Agency believes that these wastes, which contain less than 6 ug/gm of PNAs, are not of regulatory concern.

This regulation, therefore, does not require a regulatory flexibility analysis.

This action is exempt from review under Executive Order 12291.

VI. List of Subjects in 40 CFR Part 261

Hazardous materials, Waste treatment and disposal, Recycling.

Dated: September 12, 1984.

Jack W. McGraw,

Acting Assistant Administrator.

PART 261—[AMENDED]

For the reasons set out in the preamble, 40 CFR Part 261 is amended as follows:

1. The authority citation for Part 261 read as follows:

Authority: Secs. 1006, 2002(a), 3001, and 3002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended [42 U.S.C. 6905, 6912, 6921, and 6922].

2. Section 261.31 is amended by adding the following introductory text before the table to read as follows:

§ 261.31 Hazardous wastes from non-specific sources

The following solid wastes are listed hazardous wastes from non-specific sources unless they are excluded under §§ 260.20 and 260.22 and listed in Appendix XI.

* * * * *

3. Section 261.32 is amended by adding the following introductory text before the table to read as follows:

§ 261.32 Hazardous wastes from specific sources

The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under §§ 260.20 and 260.22 and listed in Appendix IX.

* * * * *

4. Section 261.33 is amended by revising the introductory text to read as follows:

§ 261.33 Discarded commercial chemical products, off-specification species, container residues and spill residues thereof.

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded unless they are excluded under §§ 260.20 and 260.22 and listed in Appendix IX.

* * * * *

5. Appendix IX is added to Part 261 to read as follows:

Appendix IX—Wastes Excluded Under §§ 260.20 and 260.22

TABLE 1.—WASTES EXCLUDED FROM NON-SPECIFIC SOURCES

Facility	Address	Waste description
Kay-Fries, Inc.	Stoney Point, NY.	Biological aeration lagoon sludge and filter press sludge generated after September 21, 1984, which contain EPA Hazardous Waste Nos. F003 and F005 as well as that disposed of in a holding lagoon as of September 21, 1984.
Metropolitan Sewer District of Greater Cincinnati.	Cincinnati, OH.	Sluiced bottom ash sludge (approximately 25,000 cubic yards), contained in the North Lagoon, on September 21, 1984, which contains EPA Hazardous Wastes Nos. F001, F002, F003, F004, and F005.

TABLE 2.—WASTES EXCLUDED FROM SPECIFIC SOURCES

Facility	Address	Waste description
(Reserved)		

TABLE 3.—WASTES EXCLUDED FROM COMMERCIAL CHEMICAL PRODUCTS, OFF-SPECIFICATION SPECIES, CONTAINER RESIDUES, AND SOIL RESIDUES THEREOF

Facility	Address	Waste description
Union Carbide Corp.	Taft, LA	Contaminated soil (approximately 11,000 cubic yards), which contains acrolein in concentrations of less than 9 ppm.

[FR Doc. 84-24929 Filed 9-20-84; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 300

[SWH-FRL-2646-2]

Amendment to National Oil and Hazardous Substance Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency ("EPA") is amending the National Oil and Hazardous Substances Contingency Plan ("NCP"), which was promulgated on July 16, 1982, pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA") and Executive Order 12316. This document amends the National Priorities List ("NPL"), which was promulgated as Appendix B of the NCP on September 8, 1983. CERCLA requires that the NCP include a list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, and contaminants throughout the United States, and that the list be revised at least annually. The NPL constitutes this list and is being revised to meet those requirements.

DATES: The promulgation date for this amendment to the NCP shall be September 21, 1984. Under section 305 of CERCLA, amendments to the NCP cannot take effect until Congress has had at least 60 "calendar days of continuous session" from the date of promulgation in which to review the amended Plan. Since the actual length of this review period may be affected by Congressional action, it is not possible at this time to specify a date on which the NPL will become effective. Therefore, EPA will publish a **Federal Register** notice at the end of the review period announcing the effective date of this NPL. EPA notes, however, that the legal effect of a Congressional veto pursuant to section 305 has been placed in question by the recent decision, *Immigration and Naturalization Service* v. *Chadha*, 103 S. Ct. 2764 (1983). Nonetheless, the Agency has decided, as a matter of policy, to submit the NPL for Congressional review. If, however, public health or environmental concerns indicate the necessity for the Agency to initiate remedial action at any of the sites that have been placed on the NPL before the expiration of the time period specified in section 305, such actions will be taken.

ADDRESSES: The public docket for the NCP will contain Hazard Ranking System (HRS) score sheets for all sites on the NPL, as well as a "Documentation Record" for each site, describing the information used to compute the scores. The main docket is located in Room S325, Waterside Mall, 401 M Street, SW, Washington, DC 20460 and is available for viewing from 9:00 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Requests for copies of these documents should be directed to EPA at the above address. The EPA Regional Offices maintain dockets concerning the sites located in their Regions. Addresses for the Regional Office dockets are:

Peg Nelson, Region I, U.S. EPA Library, John F. Kennedy Federal Bldg., Boston, MA 02203, 617/223-5791;

Audrey Thomas, Region II, U.S. EPA Library, 26 Federal Plaza, 10th Floor, New York, NY 10278, 212/264-2881;

Diane McCreary, Region III, U.S. EPA Library, Curtis Building, 6th and Walnut Streets, Philadelphia, PA 19106, 215/597-0580;

Carolyn Mitchell, Region IV, U.S. EPA Library, 345 Courtland Street, NE, Atlanta, GA 30365, 404/881-4216;
Lou Tilly, Region V, U.S. EPA Library, 230 South Dearborn Street, Chicago, IL 60604, 312/353-2022;
Nita House, Region VI, U.S. EPA Library, First International Building, 1201 Elm Street, Dallas, TX 75270, 214/767-7341;
Connie McKenzie, Region VII, U.S. EPA Library, 324 East 11th Street, Kansas City, MO 64106, 816/374-3497;
Delores Eddy, Region VIII, U.S. EPA Library, 1860 Lincoln Street, Denver, CO 80295, 303/844-2560;
Jean Circiello, Region IX, U.S. EPA Library, 215 Freemont Street, San Francisco, CA 94105, 415/974-8076;
Julie Sears, Region X, U.S. EPA Library, 1200 6th Avenue, Seattle, WA 98101, 206/442-1289.

FOR FURTHER INFORMATION CONTACT:

C. Scott Parrish, Hazardous Site Control Division, Office of Emergency and Remedial Response (WH-548-E), Environmental Protection Agency, 401 M Street SW, Washington, DC 20460, Phone (800) 424-9346 (or 382-3000 in the Washington, DC, metropolitan area).

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction

Pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. 9601-9657 ("CERCLA" or "the Act"), and Executive Order 12316 (46 FR 42237, August 20, 1981), the Environmental Protection Agency ("EPA" or "the Agency") promulgated the revised National Contingency Plan ("NCP"), 40 CFR Part 300, on July 16, 1982 (47 FR 31180). Those amendments to the NCP implemented responsibilities and authorities created by CERCLA to respond to releases and threatened releases of hazardous substances, pollutants, and contaminants.

Section 105(8)(A) of CERCLA requires that the NCP includes criteria for determining priorities among releases or threatened releases throughout the United States for the purpose of taking remedial action and, to the extent practicable taking into account the potential urgency of such action, for the purpose of taking removal action. Removal action involves cleanup or other actions that are taken in response to emergency conditions or on a short-term or temporary basis (CERCLA section 101(23)). Remedial action tends to be long-term in nature and involves response actions which are consistent with a permanent remedy for a release (CERCLA section 101(24)). Criteria for determining priorities are included in the Hazard Ranking System ("HRS"), which EPA promulgated as Appendix A of the NCP (47 FR 31219, July 16, 1982).

Section 105(8)(B) of CERCLA requires that these criteria be used to prepare a list of national priorities among the known releases or threatened releases throughout the United States, and that to the extent practicable at least 400 sites be designated individually on this National Priorities List (NPL). Section 105(8)(B) also requires that the list of priorities be revised at least annually. EPA has included on the NPL releases and threatened releases not only of designated hazardous substances, but of any "pollutant or contaminant" which presents an imminent and substantial danger to the public health or welfare. CERCLA requires that the NPL be included as part of the NCP. On September 8, 1983, EPA amended the NCP by adding the NPL, consisting of 406 sites, as Appendix B. On that same day, EPA proposed to amend Appendix B to add an additional 133 sites to the NPL. Of that number, four sites (San Gabriel Sites 1, 2, 3 and 4) have already been added to the NPL on May 8, 1984. Today, the Agency is revising Appendix B by adding 128 sites to the NPL. The discussion below may refer to "releases or threatened releases" simply as "releases," "facilities," or "sites."

II. Purpose of the NPL

The primary purpose of the NPL is stated in the legislative history of CERCLA (Report of the Committee on Environment and Public Works, Senate Report No. 96-848, 96th Cong., 2d. Sess. 60 (1980)):

> The priority lists serve primarily informational purposes, identifying for the States and the public those facilities and sites or other releases which appear to warrant remedial actions. Inclusion of a facility or site on the list does not in itself reflect a judgment of the activities of its owner or operator, it does not require those persons to undertake any action, nor does it assign liability to any person. Subsequent government action in the form of remedial actions or enforcement actions will be necessary in order to do so, and these actions will be attended by all appropriate procedural safeguards.

The purpose of the NPL, therefore, is primarily to serve as an informational tool for use by EPA in identifying sites that appear to present a significant risk to public health or the environment. The initial identification of a site on the NPL is intended primarily to guide EPA in determining which sites warrant further investigation in order to assess the nature and extent of the public health and environmental risks associated with the site and to determine what response action, if any, may be appropriate. Inclusion of a site on the NPL does not establish that EPA necessarily will undertake response actions. Moreover, listing does not require any action of any private party, nor does it determine the liability of any party for the cost of cleanup at the site.

In addition, although the HRS scores used to place sites on the NPL may be helpful to the Agency in determining priorities for cleanup and other response activities among sites on the NPL, EPA does not rely on the scores as the sole means of determining such priorities, as discussed below. Neither can the HRS itself determine the appropriate remedy for a site. The information collected to develop HRS scores to choose sites for the NPL is not sufficient in itself to determine the appropriate remedy for a particular site. After a site has been included on the NPL, EPA generally will rely on further, more detailed studies conducted at the site to determine what response, if any, is appropriate. Decisions on the type and extent of action to be taken at these sites are made in accordance with the criteria contained in Subpart F of the NCP. After conducting these additional studies EPA may conclude that it is not desirable to conduct response action at some sites on the NPL because of more pressing needs at other sites. Given the limited resources available in the Hazardous Substance Response Fund established under CERCLA, the Agency must carefully balance the relative needs for response at the numerous sites it has studied. It is also possible that EPA will conclude after further analysis that no action is needed at a site because the site does not present a significant threat to public health, welfare or the environment.

III. Implementation

EPA's policy is to pursue cleanup of hazardous waste sites using all appropriate response and/or enforcement actions which are available to the Agency. Publication of sites on the NPL will serve as notice to any potentially responsible party that the Agency may initiate Fund-financed response action. The Agency will decide on a site-by-site basis whether to take enforcement action or to proceed directly with Fund-financed response

actions and seek recovery of response costs after cleanup. To the extent feasible, once sites are listed on the NPL EPA will determine high priority candidates for Fund-financed response action and enforcement action through State or Federal initiative. The determinations will take into account which approach is more likely to accomplish cleanup of the site while using the Fund's limited resources as efficiently as possible.

In many situations, it is difficult to determine whether private party response through enforcement measures of Fund-financed response and cost recovery will be the more effective approach in securing site cleanup until studies have been completed indicating the extent of the problem and alternative response actions. Accordingly, the Agency plans to proceed with remedial investigations and feasibility studies at sites as quickly as possible. (See the NCP, 40 CFR 300.68, and the preamble, 47 FR 31180, July 16, 1982, for a more detailed discussion of remedial investigations and feasibility studies.)

Funding of response actions for sites will not necessarily take place in order of the sites' ranking on the NPL. EPA does intend in most cases to set priorities for remedial investigations and feasibility studies largely on the basis of relative position on the list and the States' priorities simply because at this early stage these may be the only sources of information regarding the risks presented by a site. Funding for the design and construction of remedial measures is less likely, however, to be done according to relative position on the list. State assurances that cost sharing and other State responsibilities will be met are prerequisites for construction of remedial measures. Taking those factors into account, EPA will base priorities for design and construction on impacts on public health and the environment, as indicated by the HRS scores and other available information, and on a case-by-case evaluation of economic, engineering, and environmental considerations.

Revisions to the NPL such as today's rulemaking will tend to result in moving some previously listed sites to a lower position on the NPL. If EPA has initiated remedial action such as a remedial investigation or feasibility study at a site, the Agency does not intend to cease such actions in order to determine whether a subsequently listed site should have a higher priority for funding. Rather, the Agency will continue funding remedial actions once they have been initiated regardless of whether higher scoring sites are later added to the NPL.

The NPL does not determine priorities for removal actions; EPA may take removal actions at any site, whether listed or not, that meets the criteria of §§ 300.65–300.67 of the NCP. Likewise, EPA may take enforcement actions under applicable statutes against responsible parties regardless of whether the site is listed on the NPL, although the focus of EPA's enforcement actions will be on NPL sites.

IV. Process for Establishing the NPL

Section 105(8) of the CERCLA contemplates that the States will identify the majority of candidate sites for the NPL according to EPA criteria, although EPA also has independent authority to consider sites for listing. For that reason, most of the sites on the NPL were evaluated by the States in accordance with the HRS and submitted to EPA. In some cases, however, EPA Regional Offices, independent of these State efforts, scored other sites using the HRS. For all sites considered for this update of the NPL, including those scored by the States, EPA reviewed the HRS evaluations and conducted quality assurance audits. These audits are intended to ensure accuracy and consistency in HRS scoring among the various EPA and State offices.

On September 8, 1983, EPA proposed the first revision to the NPL in the Federal Register (48 FR 40674). Of the 133 sites proposed, 131 had received HRS scores of 28.50 or higher; one site was designated by the State as its top priority and, according to CERCLA, must be included among the top 100 sites; and one site was proposed for listing on the basis of a future NCP amendment which will delineate additional criteria for listing sites on the NPL. The cutoff score of 28.50 points was the same cutoff chosen for the initial NPL (see 47 FR 58476, December 30, 1982, and 48 FR 40658, September 8, 1983). The cutoff score was selected because it would yield an initial NPL of at least 400 sites as suggested by CERCLA, not because of any determination that sites scoring less than 28.50 did not present a significant risk to human health, welfare or the environment.

The public comment period on the proposed rule ended November 8, 1983. EPA considered all comments received by March 30, 1984. Based on the comments received on the September 8, 1983, proposed rule, as well as further investigation by EPA and the States, EPA recalculated the HRS scores for individual sites where appropriate. EPA's response to public comments and explanations of any score changes made as a result of such comments, are addressed in the "Support Document for the Revised National Priorities List—1984." This document is available for review in the EPA dockets in Washington, DC and the Regional Offices.

One commenter disagreed with EPA's approach for selecting sites for the NPL update. The commenter was concerned over the lack of a permanent and consistent rationale for the NPL cutoff score of 28.50. The commenter said that the threshold should be based on risk, not on the need to include a specified number of sites. The commenter suggested that EPA should begin to address this issue for long-range planning purposes in its implementation of CERCLA. The commenter expressed concern that EPA and others may "erroneously assume there is an automatic need to continually replenish the list." The commenter said that if sites posing minimal or non-existent risks continue to be added to the NPL, the public could be misled about the nature of the risks, and unnecessary demands could be placed on public and private resources.

In response, EPA selected the 28.50 score for the initial NPL because it would yield a list of at least 400 sites as required in section 105(8)(B) of CERCLA. The decision to retain the 28.50 cutoff score for the first update was based on the absence of any scientific evidence of an alternative HRS threshold score. EPA has not made a determination that sites scoring less than 28.50 do not present a significant risk to human health, welfare, or the environment.

The HRS was designed to use information such as that collected during a site inspection in order to allow EPA to include sites which have not been extensively investigated. As stated in the Preamble to the NCP (47 FR 31188), the requirements of section 105(8)(A) of CERCLA to list national priorities would not be met if EPA waited until extensive information has been generated for all releases. Consequently, the HRS does not measure absolute risks associated with a site. EPA believes that such a risk assessment would require significantly greater time and funds than are presently required for placing a site on the NPL. The HRS does distinguish relative risks among sites and does identify sites that appear to present a significant risk to public health, welfare, or the environment.

A much more detailed investigation is conducted following a site's listing on the NPL. Decisions on the type and

extent of actions to be taken at these sites are made in accordance with the criteria contained in subpart F of the NCP. These more detailed studies would determine if sites posing minimal or nonexistent risks had been included on the NPL. In response to the commenter's concerns, EPA could conclude after further analysis that no action is needed at such a site because it does not present a significant threat to public health, welfare, or the environment.

EPA has initiated a preliminary study to characterize the potential threats from sites that score below the cutoff score of 28.50. Generally, these are sites that potentially affect fewer people, or where there is less opportunity for exposure. EPA has acknowledged that in limited circumstances it may be appropriate to consider other criteria than simply a sufficiently high HRS total score for purposes of listing sites on the NPL. These criteria, described in the Preamble to the first NPL update (48 FR 40676, September 8, 1983) were the basis for proposing the Quail Run Mobile Manor, Missouri site for inclusion on the NPL. Although the NCP does not currently include provisions to add sites on the basis of these criteria, EPA intends to modify the NCP in such a way that Quail Run and other similar sites will qualify for the NPL.

EPA considered several alternatives for adding sites to the NPL: (1) Maintaining the size of the list at approximately 400 sites by raising the threshold HRS score and removing lower-scoring sites from the list; (2) allowing the list to expand in a limited way by raising the threshold score but not removing lower-scoring sites from the list; and (3) maintaining the threshold score of 28.50 and allowing the size of the NPL to be determined by the number of sites exceeding the threshold score. EPA selected the third approach in order to be consistent at all sites and to give equal treatment to all interested parties. EPA's decision was not based on a need to replenish the list. The list is growing because EPA and the States continue to identify candidates as a result of their investigative programs.

Some commenters stated that certain specific sites not included in the September 8, 1983, proposed rule should be on the NPL. EPA and States are evaluating those sites and will propose any sites that meet EPA's criteria in future updates.

V. Contents of the NPL

As noted above, CERCLA requires that the NPL include, if practicable, at least 400 sites. The NPL amendment published today contains a total of 538 entries, including 128 new sites. Each entry contains the name of the facility, the State and city or county in which it is located, and the corresponding EPA Region. For informational purposes, each entry is accompanied by a notation on the current status of response and enforcement activities at the site. The definitions of the status codes are described more fully below.

The new sites added to the NPL are incorporated into the previously promulgated NPL in order of their HRS score (except where EPA modified the order to reflect top priorities designated by States, as discussed in the following paragraph). Those new sites are also listed separately in Table 2. The NPL is presented in groups of 50 sites to emphasize the fact that minor differences in HRS scores do not necessarily represent significantly different levels of risk. EPA considers the sites within a group to have approximately the same priority for response actions.

Section 105(8)(B) of CERCLA requires that, to the extent practicable, the NPL include within the 100 highest priorities at least one facility designated by each State as representing the greatest danger to public health, welfare, or the environment among known facilities in the State. The Agency did not require States to rely exclusively on the HRS in designating their top priority sites, and the HRS scores of some of these sites did not place them among the first 100. These lower-scoring State priority sites are listed at the bottom of the first 100 sites. All top priority sites designated by States are indicated by asterisks.

For informational purposes, the NPL includes several categories of notation reflecting the status of response and enforcement actions based on the Agency's most current information. Because a site's status may change periodically, these notations may become outdated. Site status will be noted in the following categories: Voluntary or Negotiated Response (V); Federal and State Response (R); Federal or State Enforcement (E); and Actions to be Determined (D). Each category is explained below.

Voluntary or Negotiated Response (V)

Sites are included in the Voluntary or Negotiated Response category if private parties are taking response actions pursuant to settlement agreements or consent orders to which EPA is a party. Voluntary or negotiated cleanup may also include actions taken pursuant to a consent decree reached after EPA has commenced an enforcement action. This category of response may include remedial investigations, feasibility studies, and other preliminary work, as well as actual cleanup.

Federal and State Response (R)

The Federal and State Response category includes sites at which EPA or State agencies have commenced or completed removal or remedial actions under CERCLA, including remedial investigations and feasibility studies (see NCP, § 300.68 (f)–(i), 47 FR 31217, July 16, 1982). For purposes of this classification, EPA considers the response action to have commenced when EPA has obligated funds. For some sites in this category EPA may follow remedial investigations and feasibility studies with enforcement actions, at which time the site status would change to "Federal or State Enforcement."

Federal or State Enforcement (E)

This category includes sites where the United States or the State has filed a civil complaint or issued an administrative order. It also includes sites at which a Federal or State court has mandated some form of non-consensual response action following a judicial proceeding. It does not, necessarily, include all sites at which preliminary enforcement activities are underway. A number of sites on the NPL are the subject of enforcement investigation or have been formally referred to the Department of Justice for enforcement action. EPA's policy is not to release information concerning a possible enforcement action until a lawsuit has been filed. Accordingly, such sites are not included in the enforcement category.

Actions to be Determined (D)

This category includes all sites not listed in any other category. A wide range of activities may be in progress for such sites. The Agency may be considering whether to undertake response action, or may be conducting an enforcement investigation. EPA may have referred a case involving the site to the Department of Justice prior to formal commencement of enforcement action. Other examples of actions not covered in other categories include investigations to determine the source of a release in areas adjacent to or near a Federal facility or cleanup operations by responsible parties that are not covered by consent orders, consent decrees, or settlement agreements.

VI. Eligibility

CERCLA restricts EPA's authority to respond to the release of certain substances into the environment, and

explicitly excludes some substances from the definition of release. In addition, as a matter of policy, EPA may choose not to respond to certain types of releases under CERCLA because existing regulatory or other authority under other Federal statutes provides for an appropriate response. Where such other authorities exist, and the Federal government can undertake or enforce cleanup pursuant to a particular established program, listing on the NPL to determine the priority or need for response under CERCLA may not be appropriate. EPA has therefore chosen not to consider certain types of sites for the NPL even though CERCLA may provide authority to respond. If, however, the Agency later determines that sites not listed as a matter of policy are not being properly responded to, the Agency will consider listing them on the NPL.

This section discusses the comments received on these categories of releases and the Agency's decisions with respect to including them on the NPL.

Releases of Radioactive Materials

Section 101(22) of CERCLA excludes several types of releases of radioactive materials from the statutory definition of "release." These releases are therefore not eligible for CERCLA response actions or inclusion on the NPL. The exclusions apply to the following: (1) Releases of source, by-product or special nuclear material from a nuclear incident if these releases are subject to financial protection requirements under section 170 of the Atomic Energy Act; and (2) any release of source, by-product, or special nuclear material from any processing site designated under the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA). Accordingly, such radioactive releases have not been considered eligible for the NPL. As a policy matter, EPA has also chosen not to list releases of source, by-product, or special nuclear material from any facility with a current license issued by the Nuclear Regulatory Commission (NRC), on the grounds that the NRC has full authority to require cleanup of releases from such facilities. Formerly licensed facilities whose licenses no longer are in effect will, however, be considered for listing.

Some commenters took issue with EPA's position on releases of radioactive materials in presenting the following arguments: (1) EPA should not include facilities on the NPL that hold a current license issued by a State pursuant to a delegation of authority from the NRC pursuant to section 274 of the Atomic Energy Act (42 U.S.C. 2021); (2) EPA should not include sites containing radioactive materials on the NPL because other Federal authorities, such as UMTRCA, provide adequate authority to control releases from such sites; and (3) HRS scores do not accurately reflect the real hazards presented by radioactive sites especially when the releases are within radiation limits established by NRC pursuant to the Atomic Energy Act. These comments reiterate points made when the first NPL was published. EPA's response (48 FR 30661, September 8, 1983) remains unchanged. Regarding the points that facilities regulated by States should not be included on the NPL, one commenter said that EPA is incorrect as to the control exercised by the NRC in such agreement States and that such State controls are adequate. EPA on the other hand believes that if such controls are adequate, then the sites will not have sufficiently high HRS scores to warrant including them.

Releases From Federal Facilities

CERCLA section 111(e)(3) prohibits use of the Fund for remedial actions at Federally owned facilities. EPA has not listed any sites where the release clearly resulted solely from a Federal facility, regardless of whether contamination remains on-site or has migrated off-site. EPA did, however, consider eligible for inclusion on the NPL sites where it was unclear whether the Federal facility was the sole source of contamination based on the rationale that if some other source were also responsible, EPA might be authorized to respond. In these situations, the off-site contaminated area associated with this type of release was considered eligible for inclusion. Sites previously, but not currently, owned by the Federal government were also considered eligible. Finally, sites not owned by the Federal government but where the Federal government may have contributed to a release were also eligible.

EPA chose not to list releases coming solely from Federal facilities because EPA lacks response authority and because Executive Order 12316 (46 FR 42237, August 20, 1981) assigns the responsibility for cleanup of these sites to the responsible Federal agency. EPA incorporated this position into the NCP, at § 300.66(e)(2) (47 FR 31215, July 16, 1982). However, after further consideration of this policy, the Agency concluded that it may be useful for informational purposes to include Federal facility sites on the NPL and will propose a future amendment to the NCP to permit the Agency to do so. EPA intends to consider Federal facilities in the next update proposal.

Indians Lands

Sites on Indian lands are currently eligible for inclusion on the NPL. EPA is developing a discovery and investigation program for evaluating potential sites on Indian lands. The Agency urges commenters to submit information on any sites which they feel may need to be evaluated for future updates to the NPL.

RCRA Sites

As stated in EPA's previous NPL rulemaking (48 FR 40658, September 8, 1983), both CERCLA and the Resource Conservation and Recovery Act (RCRA) contain authorities applicable to hazardous waste facilities. These authorities overlap for certain sites. Accordingly, where a site consists only of regulated units of a RCRA facility operating pursuant to a permit or imterim status, it will not be included on the NPL but will instead be addressed under the authorities of RCRA except as provided in the paragraph that follows. The Land Disposal Regulations under RCRA (40 CFR Parts 122, 260, 264, and 265) gives EPA and the States authority to control active sites through a broad program which includes monitoring, compliance inspections, penalties for violations, and requirements for postclosure plans and financial responsibility. RCRA regulations require a contingency plan for each facility. The regulations also contain ground water protection standards (40 CFR Part 264 Subpart F) that cover detection monitoring, compliance monitoring (if ground water impacts are identified) and corrective action for releases within the boundaries.

These monitoring and corrective action standards apply to all "regulated units" of RCRA facilities, i.e., any part of the waste treatment, storage, or disposal operation within the boundaries of the facility that accepted waste after January 26, 1983, the effective date of the Land Disposal Regulations (47 FR 32349, July 26, 1982). Even if the unit ceases operation after this time, EPA has the authority to require it to obtain a permit, and the monitoring and corrective action requirements could therefore be enforced by this mechanism. Given this alternative authority to ensure cleanup, regulated units of RCRA facilities generally are not included on the NPL. If the facility is abandoned or lacks sufficient resources and the RCRA corrective action requirements cannot be enforced, EPA will consider listing the site on the NPL for possible response under CERCLA. This policy is applicable not only to

sites subject to EPA-administered hazardous waste programs but also to sites in States that administer programs approved by EPA. In the latter instance, close Federal control is ensured by the comprehensiveness of the program elements required of all State programs along with EPA's authority to enforce State program requirements directly if the State fails to do so. EPA does, however, consider eligible for listing on the NPL those RCRA facilities where a significant portion of the release appears to come from "non-regulated units" of the facility (that is, portions that ceased operation prior to January 26, 1983).

Releases of Mining Wastes

Some commenters expressed their views that CERCLA does not authorize EPA to respond to releases of mining wastes and, therefore, sites involving mining wastes should not be included on the NPL. The commenters argued that it is unclear if CERCLA was intended to address the type of waste problem, characterized by low concentrations and large volumes, associated with mining waste. The commenter believed the HRS is not an appropriate tool to estimate the risk to health and the environment presented by mining waste sites. Finally, the commenters stated that the mining waste sites are generally in rural areas, so that no sizable target populations are affected.

These comments also were received during the previous rulemaking and EPA's response to these comments (48 FR 40663, September 8, 1983) remains unchanged. Some commenters raised a new issue related the EPA's authorities to respond to mining sites; that is, certain sites do not pose imminent hazards, thus, should not have been included on the NPL or are not eligible. EPA believes that if the substance involved at a site is a "hazardous substance," the Agency can respond to any release, or any threatened release, without any need to determine that a threshold level of hazard is present. With respect to pollutants or contaminants, EPA does not agree that response authority is limited to releases that pose an imminent and substantial danger. Section 104(a)(1)(B) of CERCLA clearly states that response is authorized for any release that "may" present an imminent and substantial danger, and is not limited to those that actually do present such danger. More importantly, response is authorized not only for releases, but for any "substantial threat of release." As one example, the East Helena site in Montana presents at least a substantial threat of release, as indicated by the fact that its HRS score was based on the potential for a release, which resulted in a score high enough to place it on the NPL.

Regarding the issue of whether the HRS is appropriate for evaluating mining sites, one commenter elaborated on the point that HRS does not use information on the concentrations of the substances involved and that mineral substances do not pose the same risks as man-made chemicals. In response, the commenters have presented no information that would support a contention that concentrations of hazardous substances in discharges from mining sites are lower than from other types of sites or are too low to cause problems. The toxicity values specified in the HRS instructions, including those for mineral substances, are derived from standard references in the field of toxicology. Concentrations at which various health effects occur are the basis for assigning toxicity values to various mineral substances. The fact that these standard texts assign the highest toxicity values to some mineral substances contradicts the position set forth by the commenter. Furthermore, EPA believes that there is ample evidence that the concentrations and amounts of pollutants and contaminants discharged by mining sites can and do have a significant impact on public health and the environment. As the commenter pointed out, mining sites tend to generate extremly large quantities of wastes. Thus, even if the concentration of hazardous substances in the wastes are low, as the commenter contends, the total quantities of substances available to be discharged into the environment are high. Finally, as the commenter's own studies demonstrate, the two most important factors in determining whether a mining site is included on the NPL are whether the site is known to be discharging into the environment and the size of and distance to the potentially affected populations. EPA believes that these are reasonable factors to use in assessing sites.

Sites Which May Be Cleaned Up by Responsible Parties

Some commenters said that EPA should not include on the NPL those sites associated with known active waste sources with identified responsible parties because such listing misrepresents the amount of Fund money required for response actions and may give an unduly negative impression with respect to ongoing cleanup activities. One commenter suggested deleting from the NPL sites undergoing such cleanups. Another commenter said that EPA should not include on the NPL those sites where the responsible parties are "acting appropriately." Other commenters said that EPA should not have included certain sites on the NPL because responsible parties had concluded agreements with State agencies or the Federal government providing for response actions.

In developing the policy on eligibility for the NPL, EPA considered several alternatives for excluding sites where private parties might be performing cleanup. The Agency decided, however, that making such exclusions was not the best approach, taking into account the purpose of the NPL as stated in the legislative history of CERCLA, the objectives of protecting public health and the environment, and the need to administer the program consistently. The NPL is primarily for informational purposes (Report of the Committee on Environment and Public Works, Senate Report No. 96–848, 96th Cong., 2d Sess. 60 (1980)). The Agency believes that even where a site is undergoing response actions, interested parties such as neighboring residents may need to know about the threats posed by that site relative to other sites. In addition, the Agency believes that including sites on the NPL until appropriate cleanup actions have been completed will provide more incentives for early and effective actions than the alternatives such as excluding sites where responsible parties have agreed to begin cleanup. Another consideration is that the comprehensiveness and effectiveness of such agreements will vary considerably among States, and in some cases agreements may not be completely consistent with the standards of the NCP. Excluding sites on the basis of the financial resources of responsible parties may establish a dual standard that is unfair to small businesses. Furthermore, some financially viable responsible parties have refused to undertake response actions. Finally, excluding sites on the basis of financial resources of potentially responsible parties would necessitate identification of those parties and comparison of their resources with potential cleanup costs before listing them on the NPL, which EPA believes would significantly increase the costs of the NPL, and seriously delay its implementation. Accordingly, consistent with previous Agency policy, EPA has decided not to exclude any sites based on the financial resources of responsible parties or their willingness to respond to releases.

Sites Which Are Difficult to Address

One commenter said that "unbounded or unmanageable sites, such as well fields" should not be included on the NPL. In response, EPA believes that unless a remedial investigation and feasibility study has been completed at a site, it is not possible to specify whether a site presents a manageable problem. Furthermore, at many of those sites where commonly applied remedial actions are infeasible, some response actions short of waste removal or source controls, e.g., providing alternative water supplies, may be appropriate. EPA believes that the technologies for response actions have been developing rapidly; a response which was infeasible in the past may become feasible in the near future. Finally, with the case specifically mentioned, wellfields, the Agency has generally found the need for CERCLA response particularly acute since this generally involves contamination of public water supplies. Hence, EPA has not attempted to exclude sites which are especially difficult to address through current response technologies.

Noncontiguous Facilities

Section 104(d)(4) of CERCLA authorizes the Federal government to treat two or more noncontiguous facilities as one for purposes of response, if such facilities are reasonably related on the basis of geography or their potential threat to public health, welfare, or the environment. As previously stated (48 FR 65058, September 8, 1983), for purposes of the NPL, EPA has decided that in most cases such sites should be scored and listed individually because the HRS scores more accurately reflect the conditions at the sites if each is scored individually. In other cases, however, the nature of the operation that created the sites and, possibly, the nature of the appropriate response may indicate that two geographically separate properties should be treated as one site for purposes of listing. EPA has done so for some sites previously listed separately on the NPL.

Factors relevant to such a determination may include whether the two or more areas were operated as parts of a single unit. Another factor is whether contamination from the two or more sites is threatening the same part of an aquifer or surface water body. Finally, EPA will also consider the distance between the noncontiguous sites and whether the target population (i.e., within 3 miles) is essentially the same or substantially overlapping for the sites.

One commenter, Governor Bond of Missouri, submitted the 33 known dioxin sites in that State as a single site on the NPL. Using characteristics from various sites, he assigned a single HRS score to the 33 sites. Governor Bond maintained that the dioxin was produced by a single waste generator and that the sites had a common method of disposal. According to the Governor, by treating the sites individually EPA has complicated negotiations for health studies, development of cost recovery suits, and the State's accounting procedures.

EPA carefully considered the Governor's proposal and, taking into account the factors discussed above, decided that his reasons did not warrant consolidating the 33 sites into a single site. The sites are dispersed over a wide area of the State and affect different target populations. The 33 sites generally comprised different disposal operations rather than parts of the same facility. Many of the 33 sites would not individually score high enough to be on the NPL and, thus, the overall score for the 33 sites would be misleading. EPA has also concluded that listing the 33 sites as a single site on the NPL is not a prerequisite for developing a consolidated response strategy for the Missouri dioxin sites. Many of these sites may qualify for Fund-financed removal actions. The Agency is currently evaluating ways of coordinating possible response strategies at these sites to alleviate the problems which Governor Bond has identified.

Another commenter expressed the view that any grouping of noncontiguous sites would be inappropriate. EPA disagrees. In some instances the property boundaries or other factors commonly used to define a site may not be very useful or reasonable for determining if a problem involves one site or several. One example is the Minker/Stout/Romaine Creek site in Missouri where dioxin contaminated soils were used as fill in several yards in a residential neighborhood. Even though the contaminated areas are not contiguous and the properties involved have several different owners, the Agency determined that the site was really a single operation, that the same target populations might be affected, and that there is no logic to support treating the various areas as separate sites. Given the many factors involved in making such determinations and the differing importance that each factor may take on in various situations, the Agency must weigh each situation individually to determine if noncontiguous disposal areas are a single site or several.

Where EPA determines, based on the above considerations, that two or more noncontiguous locations are most logically considered as a single site, they will appear as a single site on the NPL. While the listing suggests prospective response actions, it does not prescribe them; EPA may decide that response efforts should be distinct and separate for the two locations. Also, EPA may decide to respond to several sites listed separately on the NPL with a single response if it appears cost-effective to do so.

Scoring of Air Releases

A comment was received concerning how past air releases are scored. Language in the preamble to the final NCP caused a commenter on the Bayou Sorrell, Louisiana site to question whether past air releases may properly be included in a site's HRS score. This issue is discussed in detail in the "Support Document for the revised National Priorities List—1984" for the Bayou Sorrell site. However, the main points of this issue are presented in the following discussion.

EPA believes that past air releases are included in a site's HRS score. The HRS stipulates that a site is to be scored for an air release if data "show levels of a contaminants at or in the vicinity of the facility that significantly exceed background levels, regardless of the frequency of the occurrence (47 FR 31236). According to the HRS as established in the NCP revisions, therefore, the single evidence of an air release such as that which occurred at Bayou Sorrell, requires that the site be scored as having an observed release to air. This approach to scoring has been clarified by EPA's stated policy that sites are to be scored on the basis of conditions existing before any remedial measures were performed. This policy was clearly stated at the time of promulgation of the NCP revisions (47 FR 31188), and EPA considers it to be firmly established as part of the HRS. In addition, the Agency has attempted to clarify further the reasons for this policy in subsequent statements (48 FR 40664-5).

Several considerations underlie the policy. Actions by States to conduct or enforce cleanup might be discouraged if partial cleanup of a site could reduce the score such that the site would not be eligible for the NPL.

Another concern is that responsible parties might be encouraged to conduct minimal, incomplete cleanup actions at sites that might reduce the HRS score

but fail to remedy the problems completely. For example, a site may present problems in all three routes—ground water, surface water, and air, and only the air route is remedied. In such a situation, because the partial cleanup could leave significant health threats unaddressed, the site would not be scored on the basis of the latest conditions, but rather on the basis of conditions existing prior to the remedy of the air route (48 FR 40664).

A third consideration is that the HRS was designed according to the reasonable approximations of risk that could be derived from certain basic conditions at a site as they existed prior to any cleanup actions. Where the data on a site reflect conditions after some cleanup actions, the assumptions upon which the HRS was designed may no longer be appropriate, and the score would not represent an approximation of risk that is accurate or consistent with scores for other sites. All three of these considerations are explained in detail in the preamble to the initial NPL (48 FR 40664–5).

Another consideration is that the level of scrutiny provided by the HRS and the NPL listing process, while sufficient to provide a general approximation of risks and comparison among sites, is not sufficiently detailed to evaluate the adequacy of cleanup actions. The HRS was designed to take into account as many factors regarding the condition of sites and the risk they present as can be considered simply and for many sites across the country. It does not take into account factors that the Agency believes would require sophisticated data or analysis. In developing the HRS, EPA considered evidence that a release above background has occurred is relatively easily determined. However, the Agency determined that evidence as to whether past cleanup actions are sufficient to have eliminated the release and potential for future releases is much more difficult to obtain and evaluate, and therefore chose not to include consideration of this factor in the HRS. Likewise, the Agency decided not to require evidence of frequency and continuation of a release, as explained in the promulgation of the HRS (47 FR 31188). To do otherwise would render the NPL process unnecessarily expensive and time-consuming, which would divert funds from cleanup activities and impede the progress of the program. EPA recognizes that these considerations are very relevant to determining the risks presented by a site and the remedies, if any, that should be conducted. Factors of this type, however, are intended to be evaluated after the NPL listing process has identified a limited number of sites as potential problems. Having taken this approach in the HRS, EPA must apply it consistently to individual sites.

A commenter on the Bayou Sorrell, Louisiana site cited preamble language which states that "air releases must currently exist, must be measured, and must not be caused by disturbances from investigations" (47 FR 31189). EPA believes that the commenter took this language out of context. Read in context, it in no way contradicts the Agency's policies of scoring on the basis of a single observation and scoring on the basis of conditions existing before any cleanup actions.

The portion of the preamble (47 FR 31189) containing this language was written in response to comments arguing that the HRS should provide for scoring for the potential of a release, rather than only scoring when an actual release is observed. The HRS does score for potential releases in the ground water and surface water routes if no actual release has been observed. For the air route, however, EPA believed that evidence of the potential for an air release could not be easily established and would be too tenuous a possibility to warrant taking it into account. Therefore, in order to calculate any score at all for the air route, an actual release must be observed. By stating that air releases must "currently exist," EPA was attempting to explain that the release must have actually occurred, rather than being merely a potentiality. This interpretation is consistent with the actual HRS instructions, which require "data that show levels of a contaminant at or in the vicinity of the facility that significantly exceed background levels, regardless of the frequency of occurrence" (47 FR 31236).

Any other interpretation of this language would be illogical. If the word "current" were to be interpreted as meaning "today," then an observed release to air would have to be continually updated and redocumented. This would not only entail considerable expense but would also allow the assignment of an observed release to the air to be negated by a removal or remedial action. The Agency has consistently scored sites on the basis of conditions before removal or remedial actions, as explained in 48 FR 40664.

VII. Changes From the Proposed NPL

The Agency received a total of 128 comments on the proposed NPL update. Of these, 112 comments pertained to 50 of the proposed sites. The remainder of the comments addressed sites that were not proposed or generic or technical issues that were not site specific. General comments on the NPL are addressed throughout this preamble. Significant comments regarding specific sites are addressed in the "Support Document for the Revised National Priorities List—1984." A number of the site-specific comments addressed similar issues, and EPA's rationale for addressing those issues is presented in this section. Many of the issues raised in comments are the same as those raised previously and discussed in the previous final rulemaking on the NPL (48 FR 40658, September 8, 1983). The Agency's positions on these issues remains unchanged.

Waste Quantity

A number of commenters said that the waste quantity values assigned under the HRS were too high because EPA had included the non-hazardous constituents of the hazardous substances in calculating the quantity of waste located at the facility. Commenters raised similar issues when the first NPL was published (48 FR 40658, September 8, 1983), and EPA's response remains unchanged.

Consideration of Flow Gradients

In some instances commenters maintained that, based upon their conclusions regarding prospective movement of contaminants in ground waters, the values assigned by EPA to population served by ground water are too high. The commenters said that EPA should only count the population using those wells which they believed would be affected by the releases. As was the case with the waste quantity issue, this issue was addressed and resolved when the NPL was first promulgated (48 FR 40658). The rationale for the Agency's approach is futher discussed in the preamble to the NCP (47 FR 31190–91, July 16, 1982) and is equally applicable now. The HRS specifies that all the population using the aquifer of concern within 3 miles of the facility should be included in the calculations of population served by ground water. The Agency's approach is based on the difficulty of predicting precisely the movements of ground water based on the limited amount of data consistently avaliable at the time of HRS scoring. Furthermore, in establishing the rating scales, the Agency took into account the fact that most wells within 3 miles would not be affected. If EPA were to establish rating scales based only on the populations that have been or are certain to be affected, the scales would have assigned high values for much smaller populations then those specified

in the current HRS. Another consideration is that population using the aquifer is a measure of the value of the ground water to the local population. Thus, even if EPA determines at a specific site that currently operating wells will not be affected, taking current water use into account is important because it allows the Agency to indirectly estimate the potential uses of the resource.

Scoring on the Basis of Current Conditions

Many commenters felt that EPA should take current conditions into account when scoring sites where response actions have reduced the hazards posed by the site. For the ground water, surface water, and air pathways, EPA scored sites for inclusion in the NPL based on the hazards that existed before any response actions were initiated. This policy was explained in the preamble to the final revisions to the NCP (47 FR 31187, July 16, 1982). At that time the Agency explained that public agencies might have been discouraged from taking early response if such actions could lower the HRS score and prevent a site from being included on the NPL. Another reason, stated in the Preamble to the NCP, is that EPA does not want to encourage incomplete solutions that might leave significant health threats unaddressed. EPA is also concerned that if a site is rescored taking the response actions into account, the drop in score that may result might not reflect a commensurate reduction in the level of risk presented by a site. EPA has elaborated on this rationale in the Preamble to the previous NPL final rule (48 FR 40658, September 8, 1983), and the Agency's position remains unchanged.

Where response actions have already been initiated by private parties or another agency, listing such sites will enable EPA to evaluate the need for a more complete response. Inclusion on the NPL therefore does not reflect a judgment that responsible parties are failing to address the problems. The Agency believes, therefore, that this approach is appropriate, and consistent with the purpose of the NPL as stated in the legislative history of CERCLA.

This policy is also relevant to evaluating the waste management practices at a facility for the purpose of assigning a score for the "containment" factor as a part of the "Route Characteristics" score for a site. Some commenters said the EPA should have considered corrective actions at sites in assigning containment values. In response, the containment values were designed to allow EPA to evaluate the likelihood of a release occurring in light of the measures taken to prevent such a release (e.g., infiltration controls designed to prevent leachate generation). If such controls are not operational until some time after disposal, then the likelihood of a release is high, and subsequent installation of the controls does not alter that fact. Thus, in scoring the containment factor EPA has considered only those waste management practices that clearly have been applied in a timely manner.

Small Observed Release

Some commenters maintained that EPA incorrectly assigned values for observed releases to ground waters because the measured concentrations of the substances involved were below the regulatory limits specified under the Safe Drinking Water Act or other Federal and State laws. Their comments reiterate comments made when the first NPL was published. EPA's response (48 FR 40658, September 8, 1983) remains unchanged.

Some commenters submitted data showing lower concentrations of contaminants in the environment than EPA or the States had found in previous analyses; in some instances the data indicated the absence of any contaminants at the time of sampling. These commenters suggested that EPA had erred in assigning an observed release. In all such instances EPA carefully reviewed the original EPA or State data as well as that furnished by the commenters. In those cases where EPA determined that the original data substantiating the observed releases were valid, EPA assigned values based on that data even if subsequent sampling failed to detect the same contaminants. Such an approach is consistent with the HRS and recognizes that many releases vary in concentration through time or occur sporadically. Thus, negative results during one or more sampling intervals cannot refute a finding, when based on valid sampling and analyses, that an observed release has occurred.

Several commenters questioned the validity of the sampling and analytical data used to establish observed releases, particularly in instances where the amount of contaminant detected in a sample is near the detection limit of the appropriate analytical method. As stated in the HRS (47 FR 31224), the standard requirement for establishing an observed release is that the measured concentration of a contaminant in a sample must be significantly higher than background concentrations of the contaminant in other samples from the site. The methodologies used to establish background levels and to determine significantly higher concentrations are explained below in response to these comments.

In cases in which a specific contaminant is not detected in some site samples, the background level of that contaminant is assumed to be some unknown value less than the detection limit. Any measurable quantity of contaminant in the site samples is considered significantly higher than the background and provides the basis for scoring an observed release. The validity of these assumptions is supported by the statistical analysis used to establish detection limits for the analytical methodology.

In situations in which a specific contaminant is detected in all site samples, an observed release is sometimes more difficult to determine than in the case where the substance is not detected in background samples. Generally, there are insufficient numbers of samples from a site to apply conventional statistical tests for significance. The scorer must often rely on inspection of the data to evaluate whether an observed release has occurred. If the data cluster into a group of high values and a group of lower values, particularly if the high values are attributed to sampling locations that appear to be downgradient of a site, an observed release is confirmed. If the analytical results from only one sampling location are significantly higher than from all other locations, an observed release has also ocurred. However, if the contaminant concentrations are similar among background and monitoring wells within a 10 to 20 percent range, for example, EPA generally cannot state conclusively that an observed release has occurred. In addition, low concentrations (e.g., less than 10 parts per billion) of phthalates and other substances very commonly found in ground water are examined very carefully along with any other evidence that might tend to corroborate or disprove that a release has occurred.

Summary of Score Changes

For the 133 sites proposed on September 8, 1983, a total of 14 HRS scores changed on the basis of the Agency's reviews of comments and other information (Table 1). For 12 sites, the changes had no effect on listing; however, some of these changes resulted in the site being placed in different groups. For two sites, final HRS scores were below 28.50 and the sites will not be included on the NPL at this time. For four sites, the Agency is still considering the comments received.

TABLE 1.—HRS SCORE CHANGES

State city and county	Site name	HRS score	
		As proposed	Revised
Region II			
New Jersey:			
Shamong Township	Ewan Property	45.08	50.19
Florence Township	Florence Land Recontouring	58.79	47.39
Mount Holly	Landfill & Development Co	31.03	33.62
Region III			
Delaware: Delaware City	Old Brine Sludge Landfill	40.32	14.49
Pennsylvania: Williams Township	Industrial Lane (Chrin)	41.12	42.47
Region IV			
Florida: Medley	Pepper Steel & Alloy	32.11	31.92
Region V			
Indiana: Indianapolis	Reilly Tar & Chemical	42.92	34.03
Minnesota:			
Faribault: Nutting Truck & Caster.	42.38	37.89	
New Brighton	MacGillis & Gibbs Co./Bell Lumber & Pole Co	52.53	48.33
Ohio: Dayton	Powell Road Landfill	30.86	31.62
Wisconsin: Milwaukee	Moss American	43.53	32.14
Region VI			
Oklahoma: Tulsa County	Compass Industries (Avery Drive)	33.83	36.57
Region X			
Idaho: Pocatello	Pacific Hide & Fur Recycling Co	44.52	42.30
Washington: Roy	Rosch Property	29.31	10.38

In addition, on September 8, 1983, EPA deferred rulemaking on a total of seven sites that had been included in the first proposed rule for the NPL, December 30, 1982 (47 FR 58476). Those sites are listed below along with the originally proposed scores and the final scores.

State	Site name	Proposed score	Final score
Arizona	Kingman Airport Industrial Area.	40.02	8.45
Kentucky	Airco	35.19	33.29
Louisiana	Bayou Sorrel	45.58	34.69
Michigan	Clare Water Supply	32.38	38.43
Michigan	Electrovoice	29.77	35.36
Michigan	Littlefield Township Dumps	32.09	28.48
Michigan	Whitehall Wells	29.85	35.45

Proposed NPL Sites with Scores Below 28.50. The following sites will not be included on the NPL because the final HRS scores are below 28.50:

State and Site Name

Arizona—Kingman Airport Industrial Area (proposed 12/30/82).
Delaware—Old Brine Sludge Landfill.
Michigan—Littlefield Township Dump (proposed 12/30/82).
Washington—Rosch Property.

Sites Still Under Consideration. In the case of the following sites, EPA was unable to reach a final decision on listing in time for this publication:

State and Site Name

Georgia—Olin Corporation (Areas 1, 2, & 4).
Missouri—Quail Run Mobile Manor.
Oklahoma—Sand Springs.
Texas—Pig Road.

Regarding Quail Run Mobile Manor, the site does not meet the criteria currently specified in the NCP for including a site on the NPL. The Agency does, however, intend to modify the NCP in such a way that Quail Run and other similar sites will qualify for the NPL. Regarding the Sand Springs and Olin Corporation (Areas 1, 2, & 4) sites, EPA has determined that the HRS scoring documents for these sites, on which the September 8, 1983, Notice of Proposed Rulemaking (48 FR 40674) was based, were not in the public docket and were not available to the public during the 60-day comment period for this rule. Thus, EPA is seeking further public comment on these sites for a period of 60 days following publication of this notice. Interested parties may inspect the HRS scoring documents for these sites in the EPA Headquarters or Region IV (Olin Corporation) and Region VI (Sand Springs) dockets. In the case of Pig Road site, the Agency has determined that further sampling and laboratory analysis will be necessary to determine the appropriate HRS scores. Interested persons may obtain copies of that sampling and analysis data when it becomes available by notifying the EPA Region VI docket of their intent to provide further comments on that site. EPA will announce deadlines for comments on the Pig Road site in a later notice. EPA will continue to evaluate these sites and announce its decisions in subsequent NPL rulemaking.

Name Revision

In some instances EPA has determined that the names of sites should be revised to more accurately reflect the location or nature of the problem. Those name revisions are listed below:

State	Site name for proposed NPL	New site name
New Hampshire	Kearsage Metallurgical Corp.	Kearsarge Metallurgical Corp.
New Jersey	Chemical Leaman Tank Liners, Inc.	Chemical Leaman Tank Lines Inc.
Texas	Compass Industries.	Compass Industries (Avery Drive)
Montana	East Helena Smelter.	East Helena site

In addition, the name of the Toms River Chemical, New Jersey site promulgated on September 8, 1983 (48 FR 40674) has been changed to the Ciba-Geigy Corporation site.

Additional Criteria for Listing

In the September 8, 1983, proposed rule to update the NPL (48 FR 40674), EPA invited comments on the general issue of alternative criteria for selecting sites for the NPL in addition to the HRS and State's top priority designations. EPA has concluded that at some sites remedial actions may be the only adequate response, but that these sites will not score sufficiently high to be included on the NPL. That can occur where the type of problem (e.g., direct contact), is usually addressed through removal actions, and thus the HRS total score does not reflect the associated risks. EPA cited Quail Run Mobile Manor, in Gray Summit, Missouri, as an example and included that site in the proposed update to the NPL. EPA intends to propose an amendment to the NCP to authorize consideration of additional criteria.

Several commenters addressed the issue of additional criteria. One expressed interest in the specifics of the proposed amendment and suggested that it include a clear statement of goals and an explanation of where emergency and removal authority will "prove inadequate." The commenter also suggested that criteria for extraordinary listings require "a demonstration for each proposed site that remedial action, as opposed to other types of response action, is necessary and an actual health threat beyond some threshold exists."

Another commenter stated that EPA's invitation to provide comments on additional criteria for listing "belies the Agency's assertion that the HRS is effective in approximating risks and raises the questions as to the overall validity of the HRS/MITRE model in assessing risks at any site." The same commenter suggested that the additional criteria be the subject of a detailed separate notice of proposed rulemaking, so that the overall effectiveness of the HRS can be examined.

In response, EPA does intend to publish a separate notice of proposed rulemaking revising the NCP to incorporate additional criteria for listing. EPA is developing such a notice, and the comments received so far have been useful for defining the issues. When that rule is proposed, EPA will seek further public comment on the additional criteria. The full scope of that proposed revision has not been determined. EPA disagrees with the commenter's assertion that inviting comment on the additional criteria raises questions regarding the validity of using the HRS to assess risks at any site.

Since EPA is still working on revising the NCP and establishing additional criteria for listing, the Agency will not at this time complete rulemaking on Quail Run, which was included in the September 8, 1983, proposed rule.

VIII. Updates (Additions and Deletions) to the NPL

CERCLA requires that the NPL be revised or updated at least once per year. The Agency plans to identify, consider, and propose additional sites for NPL updates as it has in the past. States have the primary responsibility for identifying sites, computing HRS scores, and providing that information to EPA. EPA Regional Offices may assist in investigation, sampling, monitoring, and scoring, and may in some cases consider candidate sites on their own initiative. In advance of each update publication, EPA will notify the States of the closing dates for submission of proposed additions (or deletions, as discussed below) to EPA. EPA will exercise quality control and quality assurance to verify the accuracy and consistency of scoring. The Agency will then propose the new sites that appear to meet the criteria for listing and solicit public comment on the proposal. Based on comments, and any further review by EPA, the Agency will determine final scores and in the next update publication will include on the final NPL any sites that score high enough for listing.

In addition to these periodic updates, EPA believes it may be appropriate in rare instances to add sites to the NPL individually as in the case of the Times Beach site in Missouri.

One commenter said that EPA should clarify whether it will follow notice and comment rulemaking procedures in future updates. The commenter said that such rulemaking might have a substantial impact on private parties and that EPA should adhere to the Administrative Procedures Act. In response, EPA intends to continue seeking public comment prior to final rulemaking on the NPL updates as long as most response actions are not significantly delayed as a result. The Agency reserves the right to depart from that general approach should a situation require expedited rulemaking.

Deletion of Sites

There is no specific statutory requirement that the NPL be revised to delete sites. However, EPA has decided to consider deleting sites to provide incentives for cleanup to private parties and public agencies. Furthermore, deleting sites allows the Agency to give notice that the sites have been cleaned up and gives the public an opportunity to comment on those actions. EPA does not consider this policy to be binding, and may revise it to provide for deletion of sites based on other factors in appropriate cases.

EPA will consider deleting sites at which any of the following criteria have been met:

(1) EPA, in consultation with the State, has determined that responsible parties have completed all appropriate response actions.

(2) EPA, in consultation with the State, has determined that all appropriate Fund-financed response actions have been completed and that no further cleanup by responsible parties is appropriate.

(3) Based on a remedial investigation, EPA in consultation with the State has determined that the facility poses no significant threat to public health, welfare, or the environment and, therefore, construction of remedial measures is not appropriate.

Although there are not any deletions included in this rulemaking, EPA intends to publish a notice of proposed rulemaking and solicit public comments on rulemaking actions to delete sites in future updates. EPA is considering some alternative approaches, but for now the Agency will follow the procedures specified in the guidance memorandum, "Interim Procedures for Deleting Sites from the National Priorities List," March 27, 1984. This document is available in the EPA dockets (see addresses section of this announcement).

Rescoring Sites

EPA expects that updates to the NPL will be solely for the purposes of adding sites to or deleting sites from the NPL. The current EPA position, which will serve as guidance for individual listing and deletion decisions, is that EPA will not rescore sites that previously had been placed on the NPL.

Several commenters presented suggestions to the contrary. Some recommended that EPA revise HRS scores periodically to reflect the results of cleanup activities, and suggested deleting any site whose HRS score dropped below the cutoff. Other commenters pointed out that new data gathered on a site might alter previous assumptions in scoring, and suggested continual rescoring to reflect any new data for purposes of adjusting a site's position on the list or deleting it if the score fell below the cutoff.

Another commenter suggested that EPA reevaluate all HRS scores, preferably after a thorough site investigation. The commenter said that this process would help assure that sites most in need of remedy would be identified and that the process would allow the deletion of sites placed on the list due to scoring based on incorrect facts.

EPA believes that the current approach of scoring by EPA or the States, EPA quality assurance review, public comment on the scoring, and EPA review of the comments provides adequate safeguards against incorrect site scores. EPA's experience to date indicates that very few scores, if any, would be lowered sufficiently to remove sites from the NPL if EPA were to do as the commenter suggests. On the other hand, many site scores would increase somewhat if the commenters' approach were followed. Moreover, the alternative recommended by the commenter would significantly increase the time and resources needed to develop the NPL.

EPA believes that a number of important factors support its current position that site on the final NPL should not be rescored for future updates. With respect to sites where response actions have been taken, the HRS was not designed to reflect completeness of cleanup, and therefore should not be used as a tool for deleting sites from the list or altering their relative ranking based on response actions. If response actions were taken into account in scoring, the lower HRS score that results might not reflect a commensurate reduction in the endangerment presented by the site. The result might be to delete sites where cleanups have not been completed, thereby removing incentives for further response and giving incentives for selecting cleanups primarily designed to result in score reductions as opposed to risk reductions.

In addition to the foregoing reasons, other considerations justify the current position not to rescore sites after final listing. These considerations apply not only to cleanup situations but also to situations where a score might be

affected by new information about a site or by detection of an error in the original calculations. The process established by EPA for developing the NPL is comprehensive, involving initial scoring, public proposal, consideration of public comment, re-examination of data and scores, final score calculation, and inclusion on the final NPL. Given this level of scrutiny, and the time and expense involved in scoring sites, EPA finds it necessary to rely upon the interested public to identify factors pertinent to HRS score in a timely manner. EPA believes that it is appropriate to consider inclusion of a site on the final NPL to end the scoring process.

Furthermore, as described in Part II of this preamble, the purpose of the NPL is primarily informational, to serve as a tool for EPA to identify sites that appear to present a significant risk to public health or the environment, for purposes of deciding which sites to investigate fully and determine what response, if any, is appropriate. EPA believes that it is most consistent with that statutory purpose to cease the costly and time-consuming efforts of site scoring once a site is on the NPL. Rather than spend the limited resources of the Fund on rescoring, the Agency prefers to use all available resources to clean up sites.

EPA recognizes that the NPL process cannot be perfect, and it is possible that errors exist or that new data will alter previous assumptions. Once the initial scoring effort is complete, however, the focus of EPA activity must be on investigating sites in detail and determining the appropriate response. New data or errors can be considered in that process. Since HRS scores alone do not determine the priorities for actual response actions, any new data or revealed errors indicating that a site is either more or less of a problem than reflected in the HRS score will be taken into account and the priority for response adjusted accordingly. If the new information indicates that the site does not present a significant threat to health, welfare, or the environment, the site may meet one of the EPA criteria for deletion regardless of any original or revised HRS score.

In conclusion, EPA does not currently plan to rescore sites once they have been included on the final NPL because: (1) The HRS was not designed to reflect reductions in hazard resulting from cleanup; (2) EPA does not want to create the incentive for incomplete cleanup actions; (3) the Fund must be conserved and focused on further investigation and cleanup; (4) the NPL serves as a guide to EPA and does not determine liability or the need for response; and (5) any new information can be used to adjust response priorities or to delete a site without recalculating the HRS score. Actual decisions on the appropriate treatment of individual sites, however, will be made on a case-by-case basis, with consideration of this policy and any other appropriate factors.

IX. Regulatory Impact Analysis

The cost of cleanup actions that may be taken at sites are not directly attributable to listing on the NPL, as explained below, and therefore the Agency has determined that this rulemaking is not a "major" regulation under Executive Order 12291. The EPA has conducted a preliminary analysis of the economic implications of today's amendment to the NCP. The EPA believes that the kind of the economic effects associated with this revision are generally similar to those effects identified in the regulatory impact analysis (RIA) prepared in 1982 for the revisions to the NCP pursuant to section 105 of CERCLA. The Agency believes the anticipated economic effects related to adding 128 sites to the NPL can be characterized in terms of the conclusions of the earlier regulatory impact analysis. At proposal, the Agency noted that a more extensive analysis of the economic impacts of the NCP would be prepared in the future and would accompany publication of future major amendments to the NCP. The Agency expects to propose major amendments to the NCP and a more comprehensive economic analysis will be made available for comment at that time.

Costs

The EPA has determined that this rulemaking is not a "major" regulation under Executive Order 12291 because inclusion of a site on the NPL does not itself impose any costs. It does not establish that EPA will necessarily undertake response action, nor does it require any action by a private party or determine their liability for site response costs. Costs that arise out of site responses result from site-by-site decisions about what actions to take, not directly from the act of listing itself. Nonetheless, it is useful to consider the costs associated with responding to all sites included in a listing rulemaking.

The major events that follow the listing of a site on the NPL are a responsible party search and a Remedial Investigation/Feasibility Study (RI/FS) which determines whether response actions will be undertaken at a site. Design and construction of the selected remedial alternative follow completion of the RI/FS, and operation and maintenance (O&M) activities may continue after construction has been completed.

Costs associated with responsible party searches are generally borne by EPA. Responsible parties may bear some or all the costs of the RI/FS, design and construction, and O&M, or the costs may be shared by EPA and the States on a 90%: 10% basis (50%:50% in the case of state-owned sites). Additionally, States assume all costs for O&M activities after the first year at sites involving fund-financed remedial actions.

Rough estimates of the average total per-site and total costs associated with each of the above activities are presented below. At this time EPA is unable to predict what portions of the total costs will be borne by responsible parties, since the distribution of costs depends on the extent of voluntary and negotiated response and the successfulness of cost recovery actions where such actions are brought.

Cost category	Average total cost per site *
RI/FS	$800,000
Remedial design	440,000
Remedial action	7,200,000
Initial remedial measures (IRM) at 10 pct of sites	80,000
Net present value of O&M (over 30 years)	4,100,000

*1948 U.S. Dollars.

SOURCE: OERR budget figures (assumes $6.5 million Federal share for remedial action).

Costs to States associated with today's amendment arise from the statutory State cost-share requirement of (1) 10 percent of remedial implementation (remedial action and IRM) and O&M costs at privately-owned sites, and (2) 50 percent of the remedial planning (RI/FS and remedial design), remedial implementation and O&M costs at publicly-owned sites. Using the assumptions developed in the 1982 RIA, we can assume that 90 percent of the 128 sites added to the NPL in this amendment will be privately-owned and 10 percent will be publicly-owned. Therefore, using the budget projections presented above, the cost to States of undertaking Federal remedial actions at all 128 sites would be $212 million.

The act of adding a hazardous waste site to the NPL does not necessarily cause firms responsible for the site to bear costs. Nonetheless, listing may induce firms to clean up the sites voluntarily, or it may act as a potential trigger for subsequent enforcement or cost recovery actions. Such actions may impose costs on firms, but the decisions to take such actions are discretionary, and made on a case-by-case basis.

Consequently, precise estimates of these effects cannot be made. EPA does not believe that every site will be cleaned up by a responsible party. EPA cannot project at this time which firms or industry sectors will bear specific portions of response costs, but the Agency considers such factors as: The volume and nature of the wastes contributed; the strength of the evidence linking the wastes at the site to the parties; ability to pay, inequities and aggravating circumstances; and other factors when deciding whether and how to proceed against potentially responsible parties.

Economy-wide effects of this amendment are aggregations of effects on firms and State and local governments. Although effects could be felt by some individual firms and States, the total impact of this revision on output, prices, and employment is expected to be negligible at the national level, as was the case in the 1982 RIA.

Benefits

The real benefits associated with today's amendment come in the form of increased health and environmental protection as a result of increased public awareness of potential hazards and the additional response actions at hazardous waste sites. In addition to the potential for more Federally-financed remedial actions, expansion of the NPL could accelerate privately-financed, voluntary cleanup efforts to avoid potential adverse publicity, torts, and/or enforcement action. Listing sites as national priority targets may also give States increased support for funding responses at particular sites.

As a result of the additional NPL remedies, there will be lower human exposure to high risk chemicals, and higher quality surface water, ground water, soil, and air. The magnitude of these benefits is expected to be significant, although difficult to estimate in advance of completing the RI/FS at these sites.

Associated with the costs are significant potential benefits and cost offsets. The distributional costs to firms of financing NPL remedies have corresponding "benefits" in that each dollar expended for a response puts someone to work directly or indirectly (through purchased materials).

X. Regulatory Flexibility Act Analysis

The Regulatory Flexibility Act of 1980 requires EPA to review the impacts of this action on small entities, or certify that the action will not have a significant impact on a substantial number of small entities. By small entities the Act refers to small businesses, small governmental jurisdiction, and non-profit organizations.

While modifications to the NPL are considered revisions to the NCP, they are not typical regulatory changes since the revisions do not automatically impose costs. The listing of sites on the NPL does not in itself require any action of any private party, nor does it determine the liability of any party for the cost of cleanup at the site. Further, no identifiable groups are affected as a whole. As a consequence, it is hard to predict impacts on any group. A site's inclusion on the NPL could increase the likelihood that adverse impacts to responsible parties (in the form of clean-up costs) will occur, but EPA cannot identify the potentially affected businesses at this time nor estimate a number of businesses affected. In addition, we cannot define what is "small" for the wide variety of potentially affected firms.

The Agency does expect that certain industries and small firms within industries that have caused a proportionately high percentage of waste site problems could be significantly affected by CERCLA actions. However, EPA does not expect the impacts from the listing of these 128 sites, or the NPL as a whole, to have a significant economic impact on small business as a whole when they are considered as a nation-wide group.

In any case, economic impacts would only occur through enforcement and cost recovery actions which are taken at EPA's discretion on a site-by-site basis. EPA considers many factors when determining what enforcement actions to take, including not only the firm's contribution to the problem, but also the firm's ability to pay. The impacts (from cost-recovery) on small governments and non-profit organizations would be determined on a similar case-by-case basis.

List of Subjects in 40 CFR Part 300

Air pollution control, Chemicals, Hazardous materials, Intergovernmental relations, Natural resources, Oil pollution, Reporting and recordkeeping requirements, Superfund, Waste treatment and disposal, Water pollution control, Water supply.

PART 300—[AMENDED]

Appendix B of 40 CFR Part 300 is amended by adding the following sites to the National Priorities List:

Dated: September 11, 1984.

Alvin L. Alm,

Acting Administrator.

BILLING CODE 6560-50-M

GROUP 1

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
25	03	PA	Tysons Dump	Upper Merion Twp	R
29	08	MT	East Helena Site	East Helena	E
37	06	TX	Geneva Industries/Fuhrmann Energy	Houston	R E
41	02	NJ	Vineland Chemical Co., Inc.	Vineland	V
45	02	NJ	Shieldalloy Corp.	Newfield Borough	R E
49	05	WI	Omega Hills North Landfill	Germantown	D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 2

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
54	05	OH	United Scrap Lead Co., Inc.	Troy	D
59	05	WI	Janesville Old Landfill	Janesville	D
61	04	SC	Independent Nail Co.	Beaufort	D
62	04	SC	Kalama Specialty Chemicals	Beaufort	E
63	05	WI	Janesville Ash Beds	Janesville	D
65	05	OH	Miami County Incinerator	Troy	R E
67	05	WI	Wheeler Pit	La Prairie Township	D
97	04	MS	Flowood Site *	Flowood	D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 3

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
108	02	NY	Hudson River PCBs	Hudson River	R E
113	01	CT	Old Southington Landfill	Southington	V E
122	10	ID	Union Pacific Railroad Co.	Pocatello	D
124	04	AL	Ciba-Geigy Corp. (McIntosh Plant)	McIntosh	D
130	05	MN	St. Regis Paper Co.	Cass Lake	V
133	04	GA	Hercules 009 Landfill	Brunswick	D
144	05	WI	Muskego Sanitary Landfill	Muskego	D
148	02	NJ	Ventron/Velsicol	Wood Ridge Borough	R E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 4

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
151	04	SC	Koppers Co., Inc (Florence Plant)	Florence	E
153	02	NJ	Nascolite Corp.	Millville	V R
163	02	NJ	Ewan Property	Shamong Township	D
165	05	MN	Boise Cascade/Onan/Medtronics	Fridley	E
168	02	NJ	Delilah Road	Egg Harbor Township	R E
169	03	PA	Mill Creek Dump	Erie	R
173	05	WI	Schmalz Dump	Harrison	D
180	08	CO	Lowry Landfill	Arapahoe County	V R E
181	05	MN	MacGillis & Gibbs/Bell Lumber	New Brighton	E
188	04	SC	Wamchem, Inc.	Burton	D
189	02	NJ	Chemical Leaman Tank Lines, Inc.	Bridgeport	D
190	05	WI	Master Disposal Service Landfill	Brookfield	E
192	02	NJ	Florence Land Recontouring LF	Florence Township	R E
198	02	NJ	W. R. Grace & Co. (Wayne Plant)	Wayne Township	R
200	04	SC	Leonard Chemical Co., Inc.	Rock Hill	E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 5

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
204	04	AL	Stauffer Chem (Cold Creek Plant)	Bucks	D
212	05	OH	South Point Plant	South Point	D
214	03	PA	Dorney Road Landfill	Upper Macungie Twp	R
215	05	IN	Northside Sanitary Landfill, Inc	Zionsville	E
220	09	CA	Atlas Asbestos Mine	Fresno County	D
221	09	CA	Coalinga Asbestos Mine	Coalinga	D
238	05	MN	Joslyn Manufacturing & Supply Co.	Brooklyn Center	E
243	05	MN	Arrowhead Refinery Co.	Hermantown	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 6

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
253	01	MA	Iron Horse Park	Billerica	D
256	05	WI	Kohler Co. Landfill	Kohler	D
260	05	WI	Lauer I Sanitary Landfill	Menomonee Falls	E
262	05	MN	Union Scrap	Minneapolis	E
263	02	NJ	Radiation Technology, Inc.	Rockaway Township	E
268	03	PA	Industrial Lane	Williams Township	R
269	05	WI	Onalaska Municipal Landfill	Onalaska	D
273	10	ID	Pacific Hide & Fur Recycling Co.	Pocatello	R E
277	02	PR	Vega Alta Public Supply Wells	Vega Alta	R
278	05	MI	Sturgis Municipal Wells	Sturgis	D
279	05	MN	Washington County Landfill	Lake Elmo	D
286	02	PR	Upjohn Facility	Barceloneta	V
288	03	PA	Henderson Road	Upper Merion Twp	R
290	06	LA	Petro-Processors	Scotlandville	V R E
296	03	PA	East Mount Zion	Springettsbury Twp	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 7

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
301	02	NY	General Motors (Cent Foundry Div)	Massena	R
314	05	MN	Whittaker Corp.	Minneapolis	D
316	01	CT	Kellogg-Deering Well Field	Norwalk	V R E
320	04	AL	Olin Corp. (McIntosh Plant)	McIntosh	D
327	04	FL	Tri-City Oil Conservationist, Inc	Tampa	R
331	05	WI	Northern Engraving Co.	Sparta	D
335	01	NH	Kearsarge Metallurgical Corp.	Conway	V E
336	04	SC	Palmetto Wood Preserving	Dixianna	D
337	05	MI	Clare Water Supply	Clare	V
340	05	MN	Morris Arsenic Dump	Morris	R
348	05	MN	Perham Arsenic Site	Perham	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 8

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
354	05	MN	Nutting Truck & Caster Co.	Faribault	V D
362	01	NH	Savage Municipal Water Supply	Milford	D
363	05	IN	Poer Farm	Hancock County	R
365	06	TX	United Creosoting Co.	Conroe	R
370	05	WI	City Disposal Corp. Landfill	Dunn	D
371	02	NJ	Tabernacle Drum Dump	Tabernacle Twp	E
372	02	NJ	Cooper Road	Voorhees Township	D
376	04	FL	Cabot/Koppers	Gainesville	R
380	06	OK	Compass Industries (Avery Drive)	Tulsa	R
385	05	MN	General Mills/Henkel Corp.	Minneapolis	V
389	09	CA	Del Norte Pesticide Storage	Crescent City	R
390	02	NJ	De Rewal Chemical Co.	Kingwood Township	D
392	04	GA	Monsanto Corp. (Augusta Plant)	Augusta	D
393	01	NH	South Municipal Water Supply Well	Peterborough	D
397	05	WI	Eau Claire Municipal Well Field	Eau Claire	D
398	04	GA	Powersville Site	Peach County	D
400	05	MI	Metamora Landfill	Metamora	D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 9

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
401	05	MI	Whitehall Municipal Wells	Whitehall	E
403	02	NJ	Diamond Alkali Co.	Newark	V R E
405	05	MI	Electrovoice	Buchanan	D
406	02	PR	Fibers Public Supply Wells	Jobos	D
409	05	WI	Mid-State Disposal, Inc. Landfill	Cleveland Township	R
410	08	CO	Broderick Wood Products	Denver	R E
413	02	NJ	Woodland Route 532 Dump	Woodland Township	D
414	05	IN	American Chemical Service, Inc.	Griffith	D
422	06	LA	Bayou Sorrell	Bayou Sorrell	R E
427	05	WI	Lemberger Transport & Recycling	Franklin Township	E
430	10	WA	Queen City Farms	Maple Valley	V
431	05	WI	Scrap Processing Co., Inc.	Medford	E
435	02	NJ	Hopkins Farm	Plumstead Township	D
437	05	IN	Reilly Tar (Indianapolis Plant)	Indianapolis	D
440	02	NJ	Wilson Farm	Plumstead Township	D
450	09	CA	Koppers Co.,Inc. (Oroville Plant)	Oroville	E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 10

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
452	03	PA	Walsh Landfill	Honeybrook Township	R
453	02	NJ	Landfill & Development Co.	Mount Holly	E
454	02	NJ	Upper Deerfield Township Slf	Upper Deerfield Twp	V E
459	04	KY	Airco	Calvert City	D
463	01	MA	Sullivan's Ledge	New Bedford	D
465	05	IN	Bennett Stone Quarry	Bloomington	E
467	04	AL	Stauffer Chem (Le Moyne Plant)	Axis	D
469	04	SC	Geiger (C & M Oil)	Rantowles	D
470	05	WI	Moss-American(Kerr-McGee Oil Co.)	Milwaukee	D
471	05	WI	Waste Research & Reclamation Co.	Eau Claire	E
473	05	MN	St. Louis River Site	St. Louis County	E
476	03	PA	Berks Sand Pit	Longswamp Township	R
479	04	FL	Hipps Road Landfill	Duval County	R
480	04	FL	Pepper Steel & Alloys, Inc.	Medley	R
482	05	WI	Oconomowoc Electroplating Co. Inc	Ashippin	E
485	05	OH	Powell Road Landfill	Dayton	D
487	08	CO	Lincoln Park	Canon City	D
491	02	NJ	Woodland Route 72 Dump	Woodland Township	D
494	10	OR	United Chrome Products, Inc.	Corvallis	R
497	03	PA	Taylor Borough Dump	Taylor Borough	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 11

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
502	05	MI	Burrows Sanitation	Hartford	E
529	05	WI	Delavan Municipal Well #4	Delavan	D
532	10	WA	American Lake Gardens	Tacoma	V
533	10	WA	Greenacres Landfill	Spokane County	D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.
NOTE: GROUP REFERS TO THE NPL GROUP WITH SIMILAR HRS SCORES.

GROUP 1

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
1	02	NJ	Lipari Landfill	Pitman	V R E
2	03	DE	Tybouts Corner Landfill *	New Castle County	R E
3	03	PA	Bruin Lagoon	Bruin Borough	R
4	02	NJ	Helen Kramer Landfill	Mantua Township	R
5	01	MA	Industri-Plex	Woburn	V R E
6	02	NJ	Price Landfill *	Pleasantville	R E
7	02	NY	Pollution Abatement Services *	Oswego	R
8	07	IA	LaBounty Site	Charles City	V R E
9	03	DE	Army Creek Landfill	New Castle County	D
10	02	NJ	CPS/Madison Industries	Old Bridge Township	E
11	01	MA	Nyanza Chemical Waste Dump	Ashland	R
12	02	NJ	Gems Landfill	Gloucester Township	R
13	05	MI	Berlin & Farro	Swartz Creek	V R E
14	01	MA	Baird & McGuire	Holbrook	R E
15	02	NJ	Lone Pine Landfill	Freehold Township	R
16	01	NH	Somersworth Sanitary Landfill	Somersworth	R
17	05	MN	FMC Corp. (Fridley Plant)	Fridley	V
18	06	AR	Vertac, Inc.	Jacksonville	V R E
19	01	NH	Keefe Environmental Services	Epping	R E
20	08	SD	Whitewood Creek *	Whitewood	V
21	08	MT	Silver Bow Creek	Sil Bow/Deer Lodge	R
22	06	TX	French, Ltd.	Crosby	R
23	01	NH	Sylvester *	Nashua	R E
24	05	MI	Liquid Disposal, Inc.	Utica	R
25	03	PA	Tysons Dump	Upper Merion Twp	R
26	03	PA	McAdoo Associates *	McAdoo Borough	R
27	06	TX	Motco Inc. *	La Marque	R
28	05	OH	Arcanum Iron & Metal	Darke County	R
29	08	MT	East Helena Site	East Helena	E
30	06	TX	Sikes Disposal Pits	Crosby	R
31	04	AL	Triana/Tennessee River	Limestone/Morgan	V E
32	09	CA	Stringfellow *	Glen Avon Heights	R E
33	01	ME	McKin Co.	Gray	R
34	06	TX	Crystal Chemical Co.	Houston	R E
35	02	NJ	Bridgeport Rental & Oil Services	Bridgeport	R E
36	08	CO	Sand Creek Industrial	Commerce City	E
37	06	TX	Geneva Industries/Fuhrmann Energy	Houston	R E
38	01	MA	W. R. Grace & Co. (Acton Plant)	Acton	V E
39	05	MN	Reilly Tar (St. Louis Park Plant)	St. Louis Park	R
40	02	NJ	Burnt Fly Bog	Marlboro Township	R E
41	02	NJ	Vineland Chemical Co., Inc.	Vineland	V
42	04	FL	Schuylkill Metals Corp.	Plant City	D
43	05	MN	New Brighton/Arden Hills	New Brighton	R E
44	02	NY	Old Bethpage Landfill	Oyster Bay	V
45	02	NJ	Shieldalloy Corp.	Newfield Borough	R E
46	04	FL	Reeves SE Galvanizing Corp.	Tampa	D
47	08	MT	Anaconda Co. Smelter	Anaconda	V R E
48	10	WA	Western Processing Co., Inc.	Kent	V R E
49	05	WI	Omega Hills North Landfill	Germantown	D
50	04	FL	American Creosote Works	Pensacola	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 2

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
51	02	NJ	Caldwell Trucking Co.	Fairfield	R
52	02	NY	GE Moreau	South Glen Falls	V E
53	05	IN	Seymour Recycling Corp. *	Seymour	V R E
54	05	OH	United Scrap Lead Co., Inc.	Troy	D
55	06	OK	Tar Creek (Ottawa County)	Ottawa County	R
56	07	KS	Cherokee County	Cherokee County	R
57	02	NJ	Brick Township Landfill	Brick Township	V
58	05	MI	Northernaire Plating	Cadillac	R E
59	05	WI	Janesville Old Landfill	Janesville	D
60	10	WA	Frontier Hard Chrome, Inc.	Vancouver	R
61	04	SC	Independent Nail Co.	Beaufort	D
62	04	SC	Kalama Specialty Chemicals	Beaufort	E
63	05	WI	Janesville Ash Beds	Janesville	D
64	04	FL	Davie Landfill	Davie	D
65	05	OH	Miami County Incinerator	Troy	R E
66	04	FL	Gold Coast Oil Corp.	Miami	V
67	05	WI	Wheeler Pit	La Prairie Township	D
68	09	AZ	Tucson Intl Airport Area	Tucson	V R
69	02	NY	Wide Beach Development	Brant	R
70	09	CA	Iron Mountain Mine	Redding	R
71	02	NJ	Scientific Chemical Processing	Carlstadt	E
72	08	CO	California Gulch	Leadville	E
73	02	NJ	D'Imperio Property	Hamilton Township	R
74	05	MI	Gratiot County Landfill *	St. Louis	V
75	01	RI	Picillo Farm *	Coventry	R E
76	01	MA	New Bedford Site *	New Bedford	V R E
77	06	LA	Old Inger Oil Refinery *	Darrow	R
78	05	OH	Chem-Dyne *	Hamilton	V R E
79	04	SC	SCRDI Bluff Road *	Columbia	V R E
80	01	CT	Laurel Park, Inc. *	Naugatuck Borough	E
81	08	CO	Marshall Landfill *	Boulder County	E
82	05	IL	Outboard Marine Corp. *	Waukegan	R E
83	06	NM	South Valley *	Albuquerque	R E
84	01	VT	Pine Street Canal *	Burlington	D
85	03	WV	West Virginia Ordnance *	Point Pleasant	R
86	07	MO	Ellisville Site *	Ellisville	R
87	08	ND	Arsenic Trioxide Site *	Southeastern N.D.	R
88	09	TT	PCB Wastes *	Pacific Trust Terr	R
89	03	VA	Matthews Electroplating *	Roanoke County	R
90	07	IA	Aidex Corp. *	Council Bluffs	R E
91	09	AZ	Mountain View Mobile Homes *	Globe	R E
92	09	AS	Taputimu Farm *	American Samoa	R
93	04	TN	North Hollywood Dump *	Memphis	R
94	04	KY	A.L. Taylor (Valley of Drums) *	Brooks	R
95	04	NC	PCB Spills *	210 Miles of Roads	R E
96	09	GU	Ordot Landfill *	Guam	R
97	04	MS	Flowood Site *	Flowood	D
98	08	UT	Rose Park Sludge Pit *	Salt Lake City	V
99	07	KS	Arkansas City Dump *	Arkansas City	R
100	09	CM	PCB Warehouse *	Marianas	R

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 3

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
101	05	MN	Oakdale Dump	Oakdale	V E
102	05	IL	A & F Material Reclaiming, Inc.	Greenup	V R E
103	03	PA	Douglassville Disposal	Douglassville	R
104	02	NJ	Krysowaty Farm	Hillsborough	R
105	05	MN	Koppers Coke	St. Paul	D
106	01	MA	Plymouth Harbor/Cannon Engnrng	Plymouth	R E
107	10	ID	Bunker Hill Mining & Metallurg	Smelterville	E
108	02	NY	Hudson River PCBs	Hudson River	R E
109	02	NJ	Universal Oil Products(Chem Div)	East Rutherford	E
110	09	CA	Aerojet General Corp.	Rancho Cordova	E
111	10	WA	Com Bay, South Tacoma Channel	Tacoma	R E
112	03	PA	Osborne Landfill	Grove City	E
113	01	CT	Old Southington Landfill	Southington	V E
114	02	NY	Syosset Landfill	Oyster Bay	D
115	09	AZ	Nineteenth Avenue Landfill	Phoenix	E
116	10	OR	Teledyne Wah Chang	Albany	D
117	02	NY	Sinclair Refinery	Wellsville	R E
118	04	AL	Mowbray Engineering Co.	Greenville	R
119	05	MI	Spiegelberg Landfill	Green Oak Township	R
120	04	FL	Miami Drum Services	Miami	R E
121	02	NJ	Reich Farms	Pleasant Plains	R E
122	10	ID	Union Pacific Railroad Co.	Pocatello	D
123	02	NJ	South Brunswick Landfill	South Brunswick	V D
124	04	AL	Ciba-Geigy Corp. (McIntosh Plant)	McIntosh	R
125	04	FL	Kassauf-Kimerling Battery	Tampa	R
126	05	IL	Wauconda Sand & Gravel	Wauconda	R E
127	01	NH	Ottati & Goss/Kingston Steel Drum	Kingston	V R E
128	05	MI	Ott/Story/Cordova	Dalton Township	R E
129	02	NJ	NL Industries	Pedricktown	E
130	05	MN	St. Regis Paper Co.	Cass Lake	V
131	02	NJ	Ringwood Mines/Landfill	Ringwood Borough	V
132	04	FL	Whitehouse Oil Pits	Whitehouse	R D
133	04	GA	Hercules 009 Landfill	Brunswick	
134	05	MI	Velsicol Chemical (Michigan)	St. Louis	V E
135	05	OH	Summit National	Deerfield Township	V R E
136	02	NY	Love Canal	Niagara Falls	R E
137	05	IN	Fisher-Calo	LaPorte	V E
138	04	FL	Pioneer Sand Co.	Warrington	R E
139	05	MI	Springfield Township Dump	Davisburg	R
140	03	PA	Hranica Landfill	Buffalo Township	D
141	04	NC	Martin Marietta, Sodyeco, Inc.	Charlotte	D
142	04	FL	Zellwood Ground Water Contam	Zellwood	R D
143	05	MI	Packaging Corp. of America	Filer City	R D
144	05	WI	Muskego Sanitary Landfill	Muskego	D
145	02	NY	Hooker (S Area)	Niagara Falls	V E D
146	03	PA	Lindane Dump	Harrison Township	
147	08	CO	Central City-Clear Creek	Idaho Springs	R
148	02	NJ	Ventron/Velsicol	Wood Ridge Borough	R E
149	04	FL	Taylor Road Landfill	Seffner	E
150	01	RI	Western Sand & Gravel	Burrillville	R E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 4

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
151	04	SC	Koppers Co., Inc (Florence Plant)	Florence			E
152	02	NJ	Maywood Chemical Co.	Maywood/Rochelle Pk			E
153	02	NJ	Nascolite Corp.	Millville	V	R	
154	06	OK	Hardage/Criner	Criner		R	E
155	05	MI	Rose Township Dump	Rose Township		R	
156	05	MN	Waste Disposal Engineering	Andover	V		E
157	02	NJ	Kin-Buc Landfill	Edison Township	V	R	E
158	05	OH	Bowers Landfill	Circleville		R	
159	02	NJ	Ciba-Geigy Corp.	Toms River			D
160	05	MI	Butterworth #2 Landfill	Grand Rapids			E
161	02	NJ	American Cyanamid Co.	Bound Brook			E
162	03	PA	Heleva Landfill	North Whitehall Twp		R	
163	02	NJ	Ewan Property	Shamong Township			D
164	02	NY	Batavia Landfill	Batavia			E
165	05	MN	Boise Cascade/Onan/Medtronics	Fridley			E
166	01	RI	L&RR, Inc.	North Smithfield			E
167	04	FL	NW 58th Street Landfill	Hialeah		R	E
168	02	NJ	Delilah Road	Egg Harbor Township		R	E
169	03	PA	Mill Creek Dump	Erie		R	
170	04	FL	Sixty-Second Street Dump	Tampa		R	
171	05	MI	G&H Landfill	Utica		R	
172	02	NJ	Metaltec/Aerosystems	Franklin Borough		R	E
173	05	WI	Schmalz Dump	Harrison			D
174	02	NJ	Lang Property	Pemberton Township			D
175	02	NJ	Sharkey Landfill	Parsippany Troy Hls		R	
176	09	CA	Selma Treating Co.	Selma			E
177	06	LA	Cleve Reber	Sorrento		R	
178	05	IL	Velsicol Chemical (Illinois)	Marshall	V		
179	05	MI	Tar Lake	Mancelona Township		R	
180	08	CO	Lowry Landfill	Arapahoe County	V	R	E
181	05	MN	MacGillis & Gibbs/Bell Lumber	New Brighton			E
182	02	NJ	Combe Fill North Landfill	Mount Olive Twp		R	
183	01	MA	Re-Solve, Inc.	Dartmouth		R	E
184	02	NJ	Goose Farm	Plumstead Township		R	E
185	04	TN	Velsicol Chem (Hardeman County)	Toone			D
186	02	NY	York Oil Co.	Moira		R	E
187	04	FL	Sapp Battery Salvage	Cottondale		R	E
188	04	SC	Wamchem, Inc.	Burton			D
189	02	NJ	Chemical Leaman Tank Lines, Inc.	Bridgeport			D
190	05	WI	Master Disposal Service Landfill	Brookfield			E
191	07	KS	Doepke Disposal Site (Holliday)	Johnson County		R	
192	02	NJ	Florence Land Recontouring LF	Florence Township		R	E
193	01	RI	Davis Liquid Waste	Smithfield		R	E
194	01	MA	Charles-George Reclamation Lf	Tyngsborough		R	E
195	02	NJ	King of Prussia	Winslow Township			D
196	03	VA	Chisman Creek	York County		R	
197	05	OH	Nease Chemical	Salem			D
198	02	NJ	W. R. Grace & Co. (Wayne Plant)	Wayne Township		R	
199	02	NJ	Chemical Control	Elizabeth		R	E
200	04	SC	Leonard Chemical Co., Inc.	Rock Hill			E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 5

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
201	05	OH	Allied Chemical & Ironton Coke	Ironton	V		
202	05	MI	Verona Well Field	Battle Creek		R	
203	01	CT	Beacon Heights Landfill	Beacon Falls		R	E
204	04	AL	Stauffer Chem (Cold Creek Plant)	Bucks			D
205	05	MN	Burlington Northern (Brainerd)	Brainerd/Baxter			D
206	03	PA	Malvern TCE	Malvern			D
207	02	NY	Facet Enterprises, Inc.	Elmira	V		
208	03	DE	Delaware Sand & Gravel Landfill	New Castle County		R	
209	04	TN	Murray-Ohio Dump	Lawrenceburg	V		E
210	05	IN	Envirochem Corp.	Zionsville	V	R	E
211	05	IN	MIDCO I	Gary		R	E
212	05	OH	South Point Plant	South Point			D
213	04	FL	Coleman-Evans Wood Preserving Co.	Whitehouse			E
214	03	PA	Dorney Road Landfill	Upper Macungie Twp		R	
215	05	IN	Northside Sanitary Landfill, Inc	Zionsville			E
216	04	FL	Florida Steel Corp.	Indiantown			D
217	09	AZ	Litchfield Airport Area	Goodyear/Avondale		R	E
218	02	NJ	Spence Farm	Plumstead Township		R	
219	06	AR	Mid-South Wood Products	Mena		R	E
220	09	CA	Atlas Asbestos Mine	Fresno County			D
221	09	CA	Coalinga Asbestos Mine	Coalinga			D
222	04	FL	Brown Wood Preserving	Live Oak	V		E
223	02	NY	Port Washington Landfill	Port Washington	V		
224	02	NJ	Combe Fill South Landfill	Chester Township		R	
225	02	NJ	JIS Landfill	Jamesburg/S. Brnswck			E
226	03	PA	Centre County Kepone	State College Boro			E
227	05	OH	Fields Brook	Ashtabula		R	
228	01	CT	Solvents Recovery Service	Southington	V		E
229	08	CO	Woodbury Chemical Co.	Commerce City		R	
230	01	MA	Hocomonco Pond	Westborough		R	
231	04	KY	Distler Brickyard	West Point		R	
232	02	NY	Ramapo Landfill	Ramapo	V		
233	09	CA	Coast Wood Preserving	Ukiah			E
234	02	NY	Mercury Refining, Inc.	Colonie			E
235	04	FL	Hollingsworth Solderless Terminal	Fort Lauderdale			D
236	02	NY	Olean Well Field	Olean		R	
237	04	FL	Varsol Spill	Miami	V	R	
238	05	MN	Joslyn Manufacturing & Supply Co.	Brooklyn Center			E
239	08	CO	Denver Radium Site	Denver		R	
240	04	FL	Tower Chemical Co.	Clermont		R	E
241	07	MO	Syntex Facility	Verona	V		E
242	08	MT	Milltown Reservoir Sediments	Milltown		R	
243	05	MN	Arrowhead Refinery Co.	Hermantown		R	
244	02	NJ	Pijak Farm	Plumstead Township		R	
245	02	NJ	Syncon Resins	South Kearny		R	
246	09	CA	Liquid Gold Oil Corp.	Richmond			E
247	09	CA	Purity Oil Sales, Inc.	Malaga		R	
248	01	NH	Tinkham Garage	Londonderry		R	
249	04	FL	Alpha Chemical Corp.	Galloway			D
250	02	NJ	Bog Creek Farm	Howell Township		R	

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 6

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
251	01	ME	Saco Tannery Waste Pits	Saco	R		
252	04	FL	Pickettville Road Landfill	Jacksonville			D
253	01	MA	Iron Horse Park	Billerica			D
254	03	PA	Palmerton Zinc Pile	Palmerton	R		
255	05	IN	Neal's Landfill (Bloomington)	Bloomington	V	E	
256	05	WI	Kohler Co. Landfill	Kohler			D
257	01	MA	Silresim Chemical Corp.	Lowell	R	E	
258	01	MA	Wells G&H	Woburn	R	E	
259	02	NJ	Chemsol, Inc.	Piscataway			D
260	05	WI	Lauer I Sanitary Landfill	Menomonee Falls		E	
261	05	MI	Petoskey Municipal Well Field	Petoskey		E	
262	05	MN	Union Scrap	Minneapolis		E	
263	02	NJ	Radiation Technology, Inc.	Rockaway Township		E	
264	02	NJ	Fair Lawn Well Field	Fair Lawn	V		
265	05	IN	Main Street Well Field	Elkhart	V		
266	05	MN	Lehillier/Mankato Site	Lehillier	R		
267	10	WA	Lakewood Site	Lakewood		E	
268	03	PA	Industrial Lane	Williams Township	R		
269	05	WI	Onalaska Municipal Landfill	Onalaska			D
270	02	NJ	Monroe Township Landfill	Monroe Township		E	
271	02	NJ	Rockaway Borough Well Field	Rockaway Township			D
272	05	IN	Wayne Waste Oil	Columbia City		E	
273	10	ID	Pacific Hide & Fur Recycling Co.	Pocatello	R	E	
274	07	IA	Des Moines TCE	Des Moines	R		
275	02	NJ	Beachwood/Berkley Wells	Berkley Township	R		
276	02	NY	Vestal Water Supply Well 4-2	Vestal		E	
277	02	PR	Vega Alta Public Supply Wells	Vega Alta	R		
278	05	MI	Sturgis Municipal Wells	Sturgis			D
279	05	MN	Washington County Landfill	Lake Elmo			D
280	09	AZ	Indian Bend Wash Area	Scottsdale/Tempe	R	E	
281	09	CA	San Gabriel Valley (Area 1)	El Monte	R		
282	09	CA	San Gabriel Valley (Area 2)	Baldwin Park Area	R		
283	10	WA	Com Bay, Near Shore/Tide Flats	Pierce County	R	E	
284	05	IL	LaSalle Electric Utilities	LaSalle	R		
285	05	IL	Cross Brothers Pail (Pembroke)	Pembroke Township	R		
286	02	PR	Upjohn Facility	Barceloneta	V		
287	09	CA	McColl	Fullerton	R	E	
288	03	PA	Henderson Road	Upper Merion Twp	R		
289	10	WA	Colbert Landfill	Colbert	R		
290	06	LA	Petro-Processors	Scotlandville	V	R	E
291	02	PR	Frontera Creek	Rio Abajo			D
292	02	PR	Barceloneta Landfill	Florida Afuera			D
293	03	MD	Sand, Gravel & Stone	Elkton	R		
294	05	MI	Spartan Chemical Co.	Wyoming		E	
295	02	NJ	Roebling Steel Co.	Florence	R		
296	03	PA	East Mount Zion	Springettsbury Twp	R		
297	04	TN	Amnicola Dump	Chattanooga			D
298	02	NJ	Vineland State School	Vineland	R		
299	03	PA	Enterprise Avenue	Philadelphia	R		
300	01	MA	Groveland Wells	Groveland	R	E	

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 7

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
301	02	NY	General Motors (Cent Foundry Div)	Massena	R		
302	04	SC	SCRDI Dixiana	Cayce	R	E	
303	07	MO	Fulbright Landfill	Springfield			D
304	03	PA	Presque Isle	Erie			D
305	02	NJ	Williams Property	Swainton	R		
306	02	NJ	Renora, Inc.	Edison Township			D
307	02	NJ	Denzer & Schafer X-Ray Co.	Bayville			D
308	02	NJ	Hercules, Inc. (Gibbstown Plant)	Gibbstown			
309	05	IN	Ninth Avenue Dump	Gary	V	E	
310	06	AR	Gurley Pit	Edmondson			D
311	01	RI	Peterson/Puritan, Inc.	Lincoln/Cumberland	V	E	
312	07	MO	Times Beach Site	Times Beach	R		
313	05	MI	Wash King Laundry	Pleasant Plains Twp			D
314	05	MN	Whittaker Corp.	Minneapolis			D
315	05	MN	NL Industries/Taracorp/Golden	St. Louis Park	V		
316	01	CT	Kellogg-Deering Well Field	Norwalk	V	R	E
317	01	MA	Cannon Engineering Corp. (CEC)	Bridgewater		R	E
318	02	NY	Niagara County Refuse	Wheatfield			D
319	04	FL	Sherwood Medical Industries	Deland			D
320	04	AL	Olin Corp. (McIntosh Plant)	McIntosh			D
321	05	MI	Southwest Ottawa County Landfill	Park Township		E	
322	02	NY	Kentucky Avenue Well Field	Horseheads	R		
323	02	NJ	Asbestos Dump	Millington	R		
324	04	KY	LEE'S LANE LANDFILL	LOUISVILLE	R	E	
325	06	AR	Frit Industries	Walnut Ridge	V	E	
326	05	OH	Fultz Landfill	Jackson Township			D
327	04	FL	Tri-City Oil Conservationist, Inc	Tampa	R		
328	05	OH	Coshocton Landfill	Franklin Township	R	E	
329	03	PA	Lord-Shope Landfill	Girard Township		E	
330	10	WA	FMC Corp. (Yakima Pit)	Yakima	V		
331	05	WI	Northern Engraving Co.	Sparta			D
332	01	MA	PSC Resources	Palmer	V		
333	05	MI	Forest Waste Products	Otisville	R		
334	03	PA	Drake Chemical	Lock Haven	R		
335	01	NH	Kearsarge Metallurgical Corp.	Conway	V	E	
336	04	SC	Palmetto Wood Preserving	Dixianna			D
337	05	MI	Clare Water Supply	Clare	V		
338	03	PA	Havertown PCP	Haverford	R		
339	03	DE	New Castle Spill	New Castle County			D
340	05	MN	Morris Arsenic Dump	Morris	R		
341	05	IN	Lake Sandy Jo (M&M Landfill)	Gary	R		
342	05	IL	Johns-Manville Corp.	Waukegan	V	R	E
343	05	MI	Chem Central	Wyoming Township			D
344	05	MI	Novaco Industries	Temperance		E	
345	02	NJ	Jackson Township Landfill	Jackson Township		E	
346	05	MI	K&L Avenue Landfill	Oshtemo Township	V	E	
347	10	WA	Kaiser Aluminum Mead Works	Mead	V		
348	05	MN	Perham Arsenic Site	Perham	R		
349	05	MI	Charlevoix Municipal Well	Charlevoix	R		
350	02	NJ	Montgomery Township Housing Dev	Montgomery Township			D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 8

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
351	02	NJ	Rocky Hill Municipal Well	Rocky Hill Borough	E
352	02	NY	Brewster Well Field	Putnam County	R
353	02	NY	Vestal Water Supply Well 1-1	Vestal	R
354	05	MN	Nutting Truck & Caster Co.	Faribault	V D
355	02	NJ	U.S. Radium Corp.	Orange	R
356	06	TX	Highlands Acid Pit	Highlands	R
357	03	PA	Resin Disposal	Jefferson Borough	D
358	08	MT	Libby Ground Water Contamination	Libby	D
359	04	KY	Newport Dump	Newport	E
360	03	PA	Moyers Landfill	Eagleville	R E
361	04	FL	Parramore Surplus	Mount Pleasant	D
362	01	NH	Savage Municipal Water Supply	Milford	D
363	05	IN	Poer Farm	Hancock County	R
364	05	MI	Hedblum Industries	Oscoda	D
365	06	TX	United Creosoting Co.	Conroe	R
366	08	WY	Baxter/Union Pacific Tie Treating	Laramie	D
367	02	NJ	Sayreville Landfill	Sayreville	D
368	01	NH	Dover Municipal Landfill	Dover	R
369	02	NY	Ludlow Sand & Gravel	Clayville	R
370	05	WI	City Disposal Corp. Landfill	Dunn	D
371	02	NJ	Tabernacle Drum Dump	Tabernacle Twp	E
372	02	NJ	Cooper Road	Voorhees Township	D
373	07	MO	Minker/Stout/Romaine Creek	Imperial	R
374	01	CT	Yaworski Waste Lagoon	Canterbury	R E
375	03	WV	Leetown Pesticide	Leetown	R
376	04	FL	Cabot/Koppers	Gainesville	R
377	02	NJ	Evor Phillips Leasing	Old Bridge Township	D
378	03	PA	Wade (ABM)	Chester	R E
379	03	PA	Lackawanna Refuse	Old Forge Borough	R E
380	06	OK	Compass Industries (Avery Drive)	Tulsa	R
381	02	NJ	Mannheim Avenue Dump	Galloway Township	D
382	02	NY	Fulton Terminals	Fulton	R
383	01	NH	Auburn Road Landfill	Londonderry	R E
384	03	WV	Fike Chemical, Inc.	Nitro	E
385	05	MN	General Mills/Henkel Corp.	Minneapolis	V
386	05	OH	Laskin/Poplar Oil Co.	Jefferson Township	R E
387	05	OH	Old Mill	Rock Creek	R
388	07	KS	Johns' Sludge Pond	Wichita	V E
389	09	CA	Del Norte Pesticide Storage	Crescent City	R
390	02	NJ	De Rewal Chemical Co.	Kingwood Township	D
391	02	NJ	Swope Oil & Chemical Co.	Pennsauken	V R
392	04	GA	Monsanto Corp. (Augusta Plant)	Augusta	D
393	01	NH	South Municipal Water Supply Well	Peterborough	D
394	01	ME	Winthrop Landfill	Winthrop	E
395	06	AR	Cecil Lindsey	Newport	R
396	05	OH	Zanesville Well Field	Zanesville	D
397	05	WI	Eau Claire Municipal Well Field	Eau Claire	D
398	04	GA	Powersville Site	Peach County	D
399	05	MI	Grand Traverse Overall Supply Co.	Greilickville	D
400	05	MI	Metamora Landfill	Metamora	D

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 9

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #
401	05	MI	Whitehall Municipal Wells	Whitehall	E
402	05	MN	South Andover Site	Andover	D
403	02	NJ	Diamond Alkali Co.	Newark	V R E
404	05	MI	Kentwood Landfill	Kentwood	E
405	05	MI	Electrovoice	Buchanan	D
406	02	PR	Fibers Public Supply Wells	Jobos	D
407	05	IN	Marion (Bragg) Dump	Marion	R
408	05	OH	Pristine, Inc.	Reading	E
409	05	WI	Mid-State Disposal, Inc. Landfill	Cleveland Township	R
410	08	CO	Broderick Wood Products	Denver	R E
411	05	OH	Buckeye Reclamation	St. Clairsville	D
412	06	TX	Bio-Ecology Systems, Inc.	Grand Prairie	R
413	02	NJ	Woodland Route 532 Dump	Woodland Township	D
414	05	IN	American Chemical Service, Inc.	Griffith	D
415	01	VT	Old Springfield Landfill	Springfield	R E
416	02	NY	Solvent Savers	Linckiaen	R E
417	03	VA	U.S. Titanium	Piney River	R E
418	05	IL	Galesburg/Koppers Co.	Galesburg	D
419	02	NY	Hooker (Hyde Park)	Niagara Falls	V E
420	05	MI	SCA Independent Landfill	Muskegon Heights	E
421	09	CA	MGM Brakes	Cloverdale	E
422	06	LA	Bayou Sorrell	Bayou Sorrell	R E
423	05	MI	Duell & Gardner Landfill	Dalton Township	R
424	02	NJ	Ellis Property	Evesham Township	R
425	04	KY	Distler Farm	Jefferson County	R
426	10	WA	Harbor Island (Lead)	Seattle	D
427	05	WI	Lemberger Transport & Recycling	Franklin Township	E D
428	05	OH	E.H. Schilling Landfill	Hamilton Township	
429	05	MI	Cliff/Dow Dump	Marquette	R E
430	10	WA	Queen City Farms	Maple Valley	V
431	05	WI	Scrap Processing Co., Inc.	Medford	E
432	06	NM	Homestake Mining Co.	Milan	V E
433	05	MI	Mason County Landfill	Pere Marquette Twp	E
434	05	MI	Cemetery Dump	Rose Center	R
435	02	NJ	Hopkins Farm	Plumstead Township	D
436	01	RI	Stamina Mills, Inc.	North Smithfield	R E
437	05	IN	Reilly Tar (Indianapolis Plant)	Indianapolis	D
438	01	ME	Pinette's Salvage Yard	Washburn	R
439	06	TX	Harris (Farley Street)	Houston	V E
440	02	NJ	Wilson Farm	Plumstead Township	D
441	03	PA	Old City of York Landfill	Seven Valleys	E
442	05	IL	Byron Salvage Yard	Byron	R
443	03	PA	Stanley Kessler	King of Prussia	E
444	02	NJ	Friedman Property	Upper Freehold Twp	R
445	02	NJ	Imperial Oil/Champion Chemicals	Morganville	
446	02	NJ	Myers Property	Franklin Township	R
447	02	NJ	Pepe Field	Boonton	D
448	05	MI	Ossineke Ground Water Contam	Ossineke	E
449	03	WV	Follansbee Site	Follansbee	D
450	09	CA	Koppers Co., Inc. (Oroville Plant)	Oroville	E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

GROUP 10

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
451	05	MI	U.S. Aviex	Howard Township		E	
452	03	PA	Walsh Landfill	Honeybrook Township	R		
453	02	NJ	Landfill & Development Co.	Mount Holly		E	
454	02	NJ	Upper Deerfield Township Slf	Upper Deerfield Twp	V	E	
455	06	NM	AT & SF (Clovis)	Clovis	V	E	D
456	02	NY	American Thermostat Co.	South Cairo		E	
457	04	TN	Lewisburg Dump	Lewisburg			D
458	05	MI	McGraw Edison Corp.	Albion		E	
459	04	KY	Airco	Calvert City			D
460	03	PA	Metal Banks	Philadelphia	V		
461	04	KY	B.F. Goodrich	Calvert City			D
462	05	MI	Organic Chemicals, Inc.	Grandville		E	
463	01	MA	Sullivan's Ledge	New Bedford			D
464	02	PR	Juncos Landfill	Juncos	V	R	
465	05	IN	Bennett Stone Quarry	Bloomington		E	
466	04	FL	Munisport Landfill	North Miami			D
467	04	AL	Stauffer Chem (Le Moyne Plant)	Axis			D
468	02	NJ	M&T Delisa Landfill	Asbury Park	V		
469	04	SC	Geiger (C & M Oil)	Rantowles			D
470	05	WI	Moss-American(Kerr-McGee Oil Co.)	Milwaukee			D
471	05	WI	Waste Research & Reclamation Co.	Eau Claire		E	
472	10	OR	Gould, Inc.	Portland		E	
473	05	MN	St. Louis River Site	St. Louis County		E	
474	05	MI	Auto Ion Chemicals, Inc.	Kalamazoo		R	
475	04	SC	Carolawn, Inc.	Fort Lawn		R	E
476	03	PA	Berks Sand Pit	Longswamp Township		R	
477	05	MI	Sparta Landfill	Sparta Township			E
478	05	IL	ACME Solvent (Morristown Plant)	Morristown		R	
479	04	FL	Hipps Road Landfill	Duval County		R	
480	04	FL	Pepper Steel & Alloys, Inc.	Medley		R	
481	01	ME	O'Connor Co.	Augusta			D
482	05	WI	Oconomowoc Electroplating Co. Inc	Ashippin			E
483	05	MI	Rasmussen's Dump	Green Oak Township		R	
484	03	PA	Westline Site	Westline		R	
485	05	OH	Powell Road Landfill	Dayton			D
486	05	MI	Ionia City Landfill	Ionia		R	
487	08	CO	Lincoln Park	Canon City			D
488	05	IN	Wedzeb Enterprises, Inc.	Lebanon			E
489	02	PR	GE Wiring Devices	Juana Diaz	V		
490	05	OH	New Lyme Landfill	New Lyme		R	
491	02	NJ	Woodland Route 72 Dump	Woodland Township			D
492	02	PR	RCA Del Caribe	Barceloneta			D
493	03	PA	Brodhead Creek	Stroudsburg		R	
494	10	OR	United Chrome Products, Inc.	Corvallis		R	
495	05	MI	Anderson Development Co.	Adrian			E
496	05	MI	Shiawassee River	Howell			E
497	03	PA	Taylor Borough Dump	Taylor Borough		R	
498	03	DE	Harvey & Knott Drum, Inc.	Kirkwood		R	
499	04	TN	Gallaway Pits	Gallaway		R	E
500	05	OH	Big D Campground	Kingsville			E

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.

[FR Doc. 84-24747 Filed 9-20-84; 8:45 am]
BILLING CODE 6560-50-C

GROUP 11

RANK	EPA REG	ST	SITE NAME *	CITY/COUNTY	RESPONSE STATUS #		
501	03	DE	Wildcat Landfill	Dover		R	
502	05	MI	Burrows Sanitation	Hartford			E
503	03	PA	Blosenski Landfill	West Cain Township		R	
504	03	DE	Delaware City PVC Plant	Delaware City	V		
505	03	MD	Limestone Road	Cumberland		R	E
506	02	NY	Hooker (102nd Street)	Niagara Falls			E
507	03	DE	New Castle Steel	New Castle County			D
508	06	NM	United Nuclear Corp.	Church Rock		R	E
509	06	AR	Industrial Waste Control	Fort Smith		R	E
510	09	CA	Celtor Chemical Works	Hoopa		R	
511	04	AL	Perdido Ground Water Contam	Perdido			D
512	02	NY	Marathon Battery Corp.	Cold Springs		R	
513	03	PA	Lehigh Electric & Engineering Co.	Old Forge Borough		R	E
514	05	OH	Skinner Landfill	West Chester			D
515	04	NC	Chemtronics, Inc.	Swannanoa			D
516	07	MO	Shenandoah Stables	Moscow Mills			E
517	06	LA	Bayou Bonfouca	Slidell		R	
518	03	VA	Saltville Waste Disposal Ponds	Saltville		R	
519	03	PA	Kimberton Site	Kimberton Borough			D
520	03	MD	Middletown Road Dump	Annapolis		R	E
521	10	WA	Pesticide Lab (Yakima)	Yakima			D
522	05	IN	Lemon Lane Landfill	Bloomington		R	
523	10	ID	Arrcom (Drexler Enterprises)	Rathdrum			D
524	03	PA	Fischer & Porter Co.	Warminster	V		
525	09	CA	Jibboom Junkyard	Sacramento		R	
526	02	NJ	A. O. Polymer	Sparta Township			E
527	02	NJ	Dover Municipal Well 4	Dover Township			D
528	02	NJ	Rockaway Township Wells	Rockaway		R	
529	05	WI	Delavan Municipal Well #4	Delavan			D
530	09	CA	San Gabriel Valley (Area 3)	Alhambra		R	
531	09	CA	San Gabriel Valley (Area 4)	La Puente		R	
532	10	WA	American Lake Gardens	Tacoma	V		
533	10	WA	Greenacres Landfill	Spokane County			D
534	06	TX	Triangle Chemical Co.	Bridge City		R	E
535	02	NJ	PJP Landfill	Jersey City			E
536	03	PA	Craig Farm Drum	Parker			D
537	03	PA	Voortman Farm	Upper Saucon Twp		R	
538	05	IL	Belvidere Municipal Landfill	Belvidere		R	

#: V = VOLUNTARY OR NEGOTIATED RESPONSE; R = FEDERAL AND STATE RESPONSE;
E = FEDERAL AND STATE ENFORCEMENT; D = ACTIONS TO BE DETERMINED.
* = STATES' DESIGNATED TOP PRIORITY SITES.